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11.
H U N G A R Y,

FROM 1848 TO 1860.

BY

BARTHOLOMEW DE SZEMERE,

LATE MINISTER OF THE INTERIOR, AND PRESIDENT OF THE COUNCIL
OF MINISTERS IN HUNGARY.

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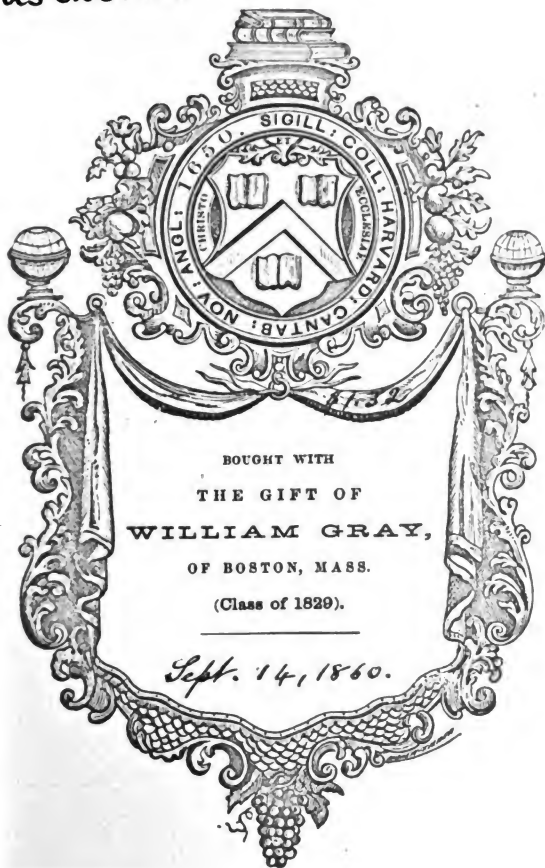
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INTRODUCTORY.

INSTEAD of a preface, I prefer giving here a brief statistical account of Hungary, in order that the reader may have a more correct idea of its *individual* character, and be better able to distinguish its *personality* as a state; for people too often confound the two states, Austria and Hungary, always to the great disadvantage of the latter.

EXTENT.

Of Austria in 1859 (without Hungary), in square geographical leagues	-	-	-	-	5,554
Of Hungary (without Austria), in square geographical leagues	-	-	-	-	6,175

POPULATION.

Of Austria (without Hungary)	-	-	-	17,598,354
Of Hungary alone	-	-	-	15,500,000

RACES INHABITING HUNGARY.

Hungarians	-	-	-	-	6,150,000
Germans	-	-	-	-	1,589,715
Croats	-	-	-	-	993,995
Serbs	-	-	-	-	1,193,095
Ruthenes	-	-	-	-	589,870
Slovaks	-	-	-	-	1,852,005
Wallachians	-	-	-	-	2,374,472
Jews	-	-	-	-	350,000

The remainder consists of Vends, Bulgarians, Italians, French, Armenians, Clementines, Greeks, Montenegrins, and Bohemians.

THE INHABITANTS OF HUNGARY ACCORDING TO CREED.

Roman Catholics	-	-	-	-	7,125,000
Protestants	-	-	-	-	3,375,000
Orthodox Greeks	-	-	-	-	2,790,000
United Greeks	-	-	-	-	1,795,000
Unitarians	-	-	-	-	65,000
Jews	-	-	-	-	350,000

LITERARY MOVEMENT AMONG THE DIFFERENT RACES.

In 1855, 81 journals and other periodicals were published in Hungary, of which there were—

In Wallachian	-	-	-	-	-	1
In Ruthenian	-	-	-	-	-	2
In Slavonian	-	-	-	-	-	2

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In Servian	-	-	-	-	-	2
In Croat	-	-	-	-	-	4
In German	-	-	-	-	-	16
In <i>Hungarian</i>	-	-	-	-	-	54

In the same year 640 works were published in volumes, of which there were—

In Ruthenian	-	-	-	-	-	6
In Slavonian	-	-	-	-	-	7
In Wallachian	-	-	-	-	-	10
In Servian -	-	-	-	-	-	20
In Croat -	-	-	-	-	-	30
In German -	-	-	-	-	-	57
In <i>Hungarian</i>	-	-	-	-	-	510

LETTER-PRESS AND LITHOGRAPHIC PRINTING OFFICES.

Of these establishments there are—

In Hungary and Transylvania (where the Hungarian population forms the relative majority)	76
In the Woiwodina (where the Serbs and Wallachians form the majority)	11
In Croatia and Slavonia	7

NUMBER OF SUPERIOR EDUCATIONAL ESTABLISHMENTS, AS UNIVERSITIES, ACADEMIES, LYCEUMS, COLLEGES, GYMNASIA, AND SEMINARIES.

In Hungary and Transylvania	-	-	-	146
In the Woiwodina -	-	-	-	8
In Croatia and Slavonia	-	-	-	9

PROPORTION OF YOUTH ATTENDING THE SCHOOLS,
ACCORDING TO RACE.

Wallachians	-	-	-	-	10 per cent.
Ruthenes	-	-	-	-	10 "
Serbs	-	-	-	-	30 "
Slavonians	-	-	-	-	40 "
Hungarians	-	-	-	-	75 "
Germans	-	-	-	-	80 "

These figures fairly indicate the difference in the degree of intellectual culture between the different races inhabiting Hungary. The Wallachians, Serbs, and Ruthenes, who stand at the bottom of the scale, belong to the two divisions of the Greek Church; the Croats to the Catholic Church; the Slavonians, as well as the Germans and Hungarians, to either the Roman Catholic or Protestant Churches.

The small difference of five per cent. between the Hungarians and Germans is to be attributed to the fact, that the greater part of the 1,500,000 Germans are tradesmen or artisans chiefly residing in towns; while the 6,150,000 of Hungarians are mostly engaged in agriculture, and are dispersed over a vast

extent of country, in towns and villages a long way apart.

One more observation, but of a different nature, and a political bearing.

In speaking of Hungary in the present work, when I make use of the word *Hungarians*, I mean all the inhabitants of the country. Nevertheless, when alluding to nationalities, I still retain the same denomination for the Hungarian race, taking the word in a more limited sense, for I have a decided objection to the indiscriminate use of the word *Magyar* in the stead of *Hungarian*. It is true that we call ourselves Magyars in our own vernacular, but our name in English has always been and still is *Hungarians*. This substitution was introduced about 1840 by the Russian Panslavists, and adopted by our enemies, the Austrians, who, by means of this distinction, apparently of no importance, were really desirous of despoiling us of the glory of having conquered Hungary, made it a free state, and given it the name which was, long before these events, and still is ours.

But, happily, it is impossible to falsify history. Hungary will continue to be *Hongrie* in French, *Hungaria* in Latin, *Hungary* in English, *Ungheria* in Italian, *Ungern* in German; and having given this name to our country, we have also naturally retained it for ourselves as a race.

When a man gives his name to a town, or a people gives its name to a country, by so doing they never lose it for themselves.

Paris, 20th December, 1859.

SEVEN LETTERS
ON HUNGARY,

ADDRESSED TO
RICHARD COBDEN, Esq., M.P. FOR ROCHDALE.

FIRST LETTER.

You are undoubtedly acquainted with the significant expression of M. de Gortschakoff, after the war in the Crimea : "*La Russie se recueille.*" No words can be more applicable to the attitude which Hungary assumed ten years since, and persists in keeping. She has not since given, to all appearance, the least sign of her vitality and strength. Can she be dead ? By no means. Why then was she alone silent while the Roumans and the Italians made heaven and earth resound with their cries ? It was perhaps a mistake on her part ; but, on the other hand, it may be suggested that she was

unwilling to embroil questions, already most embarrassing, by raising new ones; for every people must wait its turn, and besides, she is right in expecting less from the support of foreigners than from her own vital force.

I will tell you, sir, what Hungary has been doing during these last ten years. She has been collecting her scattered thoughts, observing the progress of events, waiting till the new policy, raised on the ruins of the principles of 1848, should show itself clearly and distinctly, with all its logical consequences and in all its logical bearings.

At this present moment, the tree of the new doctrine is in full blossom; it is beginning to bear abundance of expected fruit. Princes, erewhile closely leagued against imaginary dangers, are now attacking each other in turns. The allies of yesterday become the enemies of to-morrow. Public opinion is getting bewildered, seeing that, in politics, the beaten track of secular traditions is everywhere forsaken. That is the sign of a new epoch. Within ten years

everything has changed in Europe like a fairy scene. The Czar Nicholas, the saviour of Austria and oppressor of Hungary, he who in 1849 thought himself master of the destinies of Europe, suddenly fell, expiating by his death the fault committed when, by his intervention in Hungary, he abandoned the only true Russian policy. His heir, among the princes of Europe, is Napoleon III., at the head of France, strongly concentrated. But here there is a distinction to be made, which is, that Napoleon III. has at the same time raised the flag of 1848, on which were inscribed the two sacred words,—*independence* and *nationality*. Immortal glory to him if he continues faithful to that flag! On that condition he will be all powerful in Europe. The Danubian principalities bear witness in his favour. At all events, the people, simple in their faith, have everywhere eagerly hailed those magic words, and if valleys and mountains have for a moment ceased to echo them, they are too fondly cherished in many hearts to be ever forgotten.

After ten years of expectation and suffering, Hungary beholds at last the dawn of a better day brightening the political horizon, or at least of a salutary change, both abroad, in the general political situation of Europe, and at home, in the relations existing between the different races within her borders.

Russia, in her turn, has been vanquished and humbled, as she had vanquished and humbled Hungary: it is therefore to be supposed that she would not be willing, even if she were able, to interfere again in the affairs of Hungary. Austria, then, being separated from Russia by an impassable gulf, can no longer expect aid from her; she is, moreover, isolated from every European power. England herself has not only looked on with indifference while her old ally was stripped of her Italian provinces; but what is more, she is doing her best to render impossible the future restoration of Austrian influence in Italy. Prussia, on her side, if she is really sensible of her true interests, must take advantage of Austria's embarrassments to secure,

at her rival's expense, the supremacy in Germany, under the penalty of seeing herself decline, morally and physically, if she does not constantly advance in the path of progress. The noblest part in all these political complications has been played by France or rather by her emperor; all eyes are consequently turned towards him. He is the only sovereign who is really a man of action: he had a head to conceive and a hand to execute; his ideas have been matured by long reflection; his plans well laid in his inmost soul. It is he alone who conquered Russia in the Crimea, Austria in Italy. Who could resist him? Here lies the cause of the uneasiness and mistrust which now prevails in the international relations of Europe. It is impossible to dispute the vast power of Napoleon III. The grand point is to know what are his ideas and his projects. Oppressed nations are inclined to augur well of him with regard to their own interests, after all he has done for the Roumans and the Italians; for if what he has guaranteed them be not

absolute independence, most certainly it contains the germ of that blessing.

Such is the opinion of Hungary as to the general situation of Europe. She no longer fears a Russian intervention; she has a right to rely on the moral support of constitutional England. Prussia, faithful to her mission, will not contribute to augment the power of a dangerous rival. Finally, Hungary looks towards France with confidence. Thus, having to face Austria *alone*, she feels herself strong enough to resume the struggle, and claim her liberty and independence. She does not ask, and, which is a capital point, she no longer fears the intervention of a third party in her affairs.

Now let us pass to another consideration.

It is more especially internal difficulties, the fatal results of the events of 1849, which have condemned Hungary during the last ten years to absolute inactivity. At that epoch everything in Hungary was changed; nothing of what formerly existed was left standing: its boundaries, the integrity of its territory, its laws,

its constitution with its political life. and even its manners and social life, underwent a complete transformation.

Before 1849, Hungary enjoyed the utmost political liberty, and in spite of the numerous dissensions among its inhabitants, there were but two political parties: the party of progress and the conservative party. The former wanted the responsibility of government to exist in fact, as in theory it always had existed amongst us; the liberty of the press, for a censorship had been established contrary to law; equality in everything, both civil and political, without distinction of classes, &c. The conservative party was opposed to all this, and only consented to partial and inadequate concessions. The events of 1848 gave the ascendancy to the liberal party (for I cannot call it democratic); but if, under the influence of circumstances, the conservative party accepted freely, and even with some degree of enthusiasm, the changes demanded by their opponents, some time afterwards, during the

war of independence, they kept aloof as indifferent spectators, conduct which gave rise to deep distrust between the two parties after the great catastrophe. The conservatives accused the liberals of having ruined their common country by their political errors, and the latter recriminated by reproaching the conservatives with their indifference, and their absence at the final struggle, when it was a sacred duty to fight to the last gasp for the very existence of the nation.

Before 1849 the most complete harmony and the utmost toleration prevailed among the different religious sects, Roman Catholics, Greek Catholics of both Churches, Protestants of both confessions, Unitarians, and Jews. This toleration was itself the fruit of our political liberty, for these two liberties can only flourish or exist together. I freely confess that in this lay the great merit of the Roman Catholic clergy, the richest and most privileged in Europe, but at the same time the most tolerant and most popular; who lived without isolating themselves

from the people, and without hypocritical affectation; freely mixing, like brothers, in the social life of their countrymen, but with all due decency. Now, this fraternal concord did not suit the political views of the Austrian government, and for that reason it conceived the idea of the famous Concordat, the grand object of which was to engender among the Catholics a spirit of domination, and at the same time to sow the seeds of discord and distrust among the members of the other sects. It is true that, owing to the enlightened and tolerant spirit of the Catholics, the government failed in its inhuman and anti-Christian designs; for the superior clergy, as well as their subordinates, beheld with repugnance this sacrifice of the *independence* of the Hungarian Church (similar to the Gallican Church, but of more ancient date) to the despotism of the court of Rome. Nevertheless, the non-Catholic population (nine millions and a half to seven millions of Catholics) began to take the alarm, and to look with mistrust on the sectaries of the Pope. They had reason to believe that the design was

entertained, not only of Germanizing them, but also of driving them into the Roman Catholic Church. Perhaps they suspected that the Catholics, at least the clergy, were privy to this intrigue. There was consequently, between 1853 and 1857, a moment when it really seemed that this last remnant of the former harmony among the people of Hungary was about to disappear for ever.

This, however, is not all ; I have yet to mention another, and still more formidable difficulty.

Before 1848, the inhabitants of Hungary formed several castes : ecclesiastics, nobles, townspeople, and peasants, of which the first three alone enjoyed political rights. But please to observe, that the basis of this classification was neither *race*, nor *religion*, nor *language* ; for there were nobles and ecclesiastics of all degrees, though Slaves, Roumans, or Germans, as there were peasants, though Hungarians. So much for individuals. As to what concerns the districts, the provinces, the groups of races, in fine,

it is most important to know that all the privileged districts and provinces were inhabited, either by Slaves or Germans, as the Saxons of Transylvania, the Slaves of Croatia : the latter, for instance, under the Hungarian constitution, only paid one-half less taxes than the Hungarians. The Hungarians never reserved for themselves any exclusive privilege. So much as to the groups of races.

With respect to language, I may here state, that in past times, in Hungary, as elsewhere in Europe, the language of the supreme government was Latin, but always conjointly with Hungarian. It was not till some eighty years ago, when Joseph II., suppressing the use of the Latin idiom in public affairs, wanted to replace it by German, that the country made a bold stand to retain the Hungarian language in the official dignity which it had enjoyed for nine centuries before. I say that the whole country insisted upon its continued use, not because it was the language of the conquerors, but because it was spoken by a far greater number of persons

than any other idiom; because it was the only one which had been sufficiently cultivated to answer the purpose; because it was the language of the privileged class who enjoyed political rights; because it was spoken and understood by at least nine millions out of fifteen; because, in fine, it was the universal feeling, to such an extent that, in 1830, the Croats themselves petitioned the Diet to pass a law providing that the Hungarian language should be taught at the Academy of Zagrab, the capital of Croatia. It was therefore considerations of general interest, as well as historical, intellectual, and ethnographic, which justified the adoption of this course, especially as during the previous thirty years the Latin language had ceased to be the medium of instruction in schools, and the number of those who understood it was but some ten thousand in a population of fifteen millions.

Here perhaps it may be asked, How then do you account for the rising of the Slaves, the Roumans, the Germans, against the cause defended by the Hungarians in 1848? That is the

very feature of our revolution most frequently misunderstood, but only by those who, knowing the facts, close their eyes against evidence, and those who are unacquainted with our country as it was before 1848.

In the first place, one important fact must be made known; which is, that out of 2,400,000 Roumans, there were 1,500,000; out of 1,500,000 Germans, 1,250,000; and out of 4,700,000 Slaves, 3,000,000, who could not be induced by any means of persuasion, nor even by force, to take arms against us; on the contrary, most of them voluntarily joined our standard. The truth may, however, be found on a careful analysis of the elements of a movement apparently inexplicable; and by accurately distinguishing the motives of the men who commanded, from the motives of the mass of the populations who generally suffer themselves to be guided either by craft or by force. They who directed the reactionary movement were nearly all Austrian generals and other officers, acting under secret instructions, and provided with

arms and money by the court of Vienna. In Slavonia and Croatia, there was General Jellasics; in the Bannat, General Supplikatz; in Transylvania, General Puchner. These men were only the blind instruments of the Court camarilla. But the people ought never to be so judged; for even when in error, they will always be found to have acted on noble and generous impulses. Therefore, though it is an indisputable fact that the Croats were as soldiers brutally compelled to march against the Hungarians; that the Serbs, aided by 20,000 foreign Serbs brought from Servia, contrary to international law, never thought of anything else but extirpating the other races to possess their lands; that the Roumans were only inspired by their brethren of the Danubian principalities, who were anxious to enlarge their State at our expense; it must, however, be confessed that at this period of febrile excitement of the national sentiment, all the races looked forward to a glorious future, and under the lying flag raised by perfidious Austria, they despised the constitu-

tional and national liberty which they enjoyed in Hungary. Thus the petty country of Croatia, poor and powerless as it is, aspired to found an independent kingdom; the Woiwodina wanted to be incorporated in the future Servian empire, as yet unknown; and the Roumans aspired to become a part of a Daco-Roumania, which may perhaps be formed some day, but which has never existed yet.

What a sad awakening for them all after the fatal fratricidal struggle! Before their wretched triumph they had everything: political and national liberty (for the Hungarian element had absorbed nothing by force during ten centuries), and now they have lost everything. Add to this their despair on seeing Austria, though victorious, inclined to spare the Hungarians, whose power she still dreaded even after defeat, whilst she showed no such disposition towards her allies, the Slaves and Roumans, whom she treacherously deceived.

The blindness of the Slaves and Wallachian races in this conjuncture is beyond all concep-

tion. They had only to open their eyes and turn them towards their brothers existing in Europe, to see the *great historical fact*, that ever since the fall of Poland, all the Slaves, with the single exception of those inhabiting Little Servia, and since Bajazet (1512), all the Wallachians, are everywhere oppressed,—in Russia, in Austria, in Turkey. There was only one country in Europe, and that was Hungary, where the Slave and the Wallak races enjoyed constitutional liberty, and could, if they wished, freely cultivate their own languages and retain their national customs.

I again ask, how could they overlook this fact so evident, so palpable, so indisputable?

It is easy to conceive that, in such circumstances, the cordial fraternity which previously existed between the different races was first changed into hatred and afterwards into sullen mistrust. Children of the same country, as they were, they nevertheless long looked upon each other as enemies. This was one of the worst consequences of the war; it was the

greatest internal difficulty to be overcome in Hungary, and Austria endeavoured, but in vain, to turn it to her advantage. At last, after ten years of sufferings, these races are getting reconciled : one confesses its errors, the other pardons them ; those who disowned each other when free, have become friends again in slavery ; and now they are profoundly convinced that the liberty and nationality lost by discord can only be recovered by a return to the concord of former times.

Such, sir, are the principal internal and external difficulties which have hitherto imperiously condemned Hungary to absolute inactivity. Before moving, its people must become reconciled. At present that point is gained ; if they act together, nothing can resist them ; their success is certain. Austria, even with the aid of Russia, only conquered Hungary when torn by discord ; she can never master Hungary when united.

Thus we have seen Hungary at three different epochs.

In 1849, heroically struggling against two empires; subsequently, in her humiliation, we have seen her silent, taciturn, nobly suffering, prudently endeavouring to ascertain the exact nature of her new condition. This was the epoch of calm reflection; now, the old concord being restored in her bosom, she is beginning to act.

In what way, you will see in the following letters.

SECOND LETTER.

I BEGIN this letter by a very categorical assertion, which is, that in 1848 Hungary was not truly nor generally revolutionary; for, on the one hand, the peasants desired to enjoy the civil and political emancipation which the Diet of 1847-8 had but just extended to them; and, on the other hand, a great number of the privileged classes could not believe that Austria, in combating liberal ideas, would go so far as to suppress all liberties whatever. But now, in 1859, Hungary is thoroughly revolutionary, at least to the extent of completely overthrowing everything connected with the present system. This may be easily demonstrated. To do so, no-

thing more is required than briefly to enumerate, without neglecting certain important details however, the despotism which has replaced all that has been lost by the peasants, the townspeople, the nobles, in fact, the whole nation ;— in other words, to draw a parallel between the past and the present state of Hungary.

In the first place, the peasants by the decree of the Diet in 1848 were admitted to the enjoyment of civil and political rights without distinction of race or creed ; they had also become absolute proprietors of their lands. Victorious Austria deprived them and everybody else of all their rights. It is true that she did not dare to re-establish either compulsory labour or feudal jurisdiction ; but having increased their taxes 50 per cent., having imposed upon them the so-called voluntary loan, the fact is, that they are now far poorer, and beyond all comparison more enslaved than they were before 1848, when they managed their local affairs by means of officers responsible to themselves, and elected by them from year to year. Therefore, they now

energetically demand their liberty, still to them a virgin flower, the eternal cry of conscience in all men, otherwise they would prefer a hundred times their past condition to their present. And please to observe, that this is the ardent wish of the immense majority, that is to say, of 14,000,000 peasants out of 15,500,000 inhabitants.

But the losses, both material and moral, of the privileged classes, the nobles, the clergy, and the townspeople, have been still more cruel. Yielding to the spirit of the age, in 1848 they freely renounced the privilege of exemption from taxation; they spontaneously proclaimed the principle of civil and political equality; but Austria, in 1849, not only loaded them with insupportable taxation, but at the same time stripped them of all their old immunities and liberties. To appreciate the difference between these two epochs, it should be known that less centralization existed in Hungary than in any country in Europe; that nowhere in the world was the principle of self-government so extensively practised. The one hundred and twenty

jurisdictions were so many independent republics; each had its statutes, its budget, its traditions, its history, its peculiar character; the electors not only had the right of choosing their deputies, but could also supersede them if found unfaithful to the principles held by the majority of their constituents. In a word, the assembly of the electors was all in all in the state; it administered the communes, the towns, the departments, all the officials of which, from the lowest to the highest, were elected either yearly or triennially, and were also responsible to the assembly alone.

Hungary, therefore, had not its vitality centred solely in its heart, like France; it had vitality also in each of its members, and was ever living without interruption, whilst the state in the legislative body only performed its functions at intervals of three years. Whatever did not immediately concern the state, as the police, roads, sanitary regulations, hospitals, schools, charitable institutions, prisons, education, all kinds of establishments of public utility and

others, being under the management of the municipalities, that is of the communes, towns and departments; you may form some idea of the wide field open to the activity, the ambition, and the patriotism of the citizens. And there you might have sought and found the best and most illustrious patriots of Hungary: these municipal assemblies were our training-schools for statesmen.

Alas! this constitution, so admirably adapted to the development of individual talent, this model of local self-government, this nursery of patriots, this palladium of our liberties, this arena of our daily political struggles, this practical school for magistrates and statesmen, no longer exists. Austria has swept away its every vestige. The most perfect self-government was replaced by the most despotic centralization. There are now neither electors, nor deputies, nor freely-chosen municipal officers; the Diet no longer decides the amount of taxation and the number of recruits, but the most arbitrary caprice; and even if you are unable

any longer to pay your taxes, you are *forced* to subscribe to the most extravagant loans. You must observe, too, that the officials who execute all these extortions are not Hungarians, because Hungarians refuse to undertake such duties : Austria has consequently delivered over poor Hungary as a prey to a swarm of foreigners—Germans, Slavonians, Bohemians, Moravians, Italians, Illyrians, Poles, who, simply as foreigners unable to speak the language of their victims, are universally detested. You must know that there are two armies in Hungary—one of *soldiers*, the other of foreign *placemen*. Had I not, therefore, good reason for saying that Hungary in such a situation is at present more revolutionary than ever she was before?

Happily, with us the lower classes do not cherish that intense hatred, elsewhere proverbial, against the class formerly privileged ; it is, therefore, to be supposed that as, in 1848, not less than 180,000 of them rose in arms for the defence of the country, they will in future do

the same at the bidding of the educated class. The people will be, like Briareus with his hundred arms, the army to act; and the upper class will be, like Argus with his thousand eyes, the head to direct.

But Hungary has not only been attacked in her material interests and her liberty, which she fondly cherished, because, having possessed it for a thousand years, she knew and practised it; Austria has put innumerable trammels on all that is most sacred to man—the liberty of intellectual progress and liberty of conscience.

Let us first speak of the population belonging to the Greek Church. Of these there are in Hungary, including Transylvania, nearly 4,000,000, of whom 1,700,000, or thereabouts, belong to what is called the United Greek Church. This is a sect which exists in Hungary only. It was originated by Maria Theresa, who granted certain privileges to it and its clergy on condition of its recognizing the supreme authority of the Pope. With this difference they retain their rites and the rest of

their dogmas. But this partial success only encouraged the Austrian government to employ every imaginable means, intrigue, corruption, violence, intimidation, to constrain all the orthodox Greeks to become converts; and if after 1790 the shield of the Hungarian constitution preserved them from its persecuting proselytism, that proselytism burst forth with greater violence than ever. Yes, because since 1849 old Hungary was not there to restrain it. You may imagine the effervescence which this kind of inquisition has produced among the adherents of this communion, so much the more as these 4,000,000 are all either Roumans or Slavonians; and if as a race they already hate the Germans, things have now come to such a pass, that not only the orthodox Greeks will not hear a word about conversion, but the United are anxious to return to the bosom of their mother-church.

So much for the spirit that now predominates among the adherents of the Greek Church.

With respect to the Hungarian Roman Ca-

tholics, any one who should suppose that the Concordat was favourably received by them would be strangely mistaken. If Austria has concluded this treaty with the hope of deriving advantage from it, she has made a signal blunder. As in virtue of our ancient laws the bishops could publish neither bulls nor briefs from Rome without the assent of the civil government, they were in a manner almost independent of the Pope; they were so many sovereigns in their dioceses. On the other hand, the inferior clergy were safely guaranteed by our ecclesiastical institutions against arbitrary proceedings on the part of their superiors; for in Hungary, as in every free country, the spirit of the canon law did not predominate in the general laws, but, on the contrary, the spirit of the constitutional laws modified the canon law in a liberal sense. The Concordat has therefore produced no result except to increase the number of malcontents; for the diocesans, having ceased to be independent, are now at the mercy of intriguers at the court of Rome;

while the inferior clergy are at the mercy of their diocesans, who find no consolation in the thought of having a number of slaves under them since they have lost their own liberty. You need not, therefore, be at all astonished to learn that it was the Cardinal-primate of Esztergom who undertook to deliver to his sovereign the memorial of the Constitutionalists, or on reading the names of our richest prelates at the head of all the national movements and enterprises. The Hungarian Catholic clergy, for its tolerant spirit, sociability, patriotism, and love of liberty, differs from all others; it can only be compared to itself.

I will not dwell at any length upon the Jews, though they are an important class amongst us, as well from their numbers (about 350,000) as from their wealth and their devoted attachment to their adopted country. In 1848 they proved their worth by freely sacrificing their lives and property; and from the persecutions of Haynau to this day they have suffered enough to make them hate Austrian despotism, and desire the

restoration of the old Hungarian system of government.

The question of the Protestants is far more important, not only on account of their great numbers (nearly 3,500,000), but because they represent proportionally the great majority of the privileged classes despoiled of their political rights; because they are the most enlightened and most intelligent of all the sects, owing to their liberal education; because reason, being the principle of their religion, is also that of political liberty; lastly, because we see in the history of Hungary, that during the three centuries of the Hapsburg domination it was always the Protestants who opposed, sometimes by legal means, at others, when necessary, by armed insurrection, the encroachments of despotism, as they had to defend, besides nationality and the constitution, their liberty of worship. All their risings have invariably led to a treaty (as in 1606, 1622, 1645, and 1711), which always had the twofold object of securing political and religious liberty. In fact, the Protestant Church,

with its Presbyterian and democratic organization, could only exist, live, and flourish in a perfectly free country. Indeed, the organism of Protestantism is, in the order of time, posterior to the political system which from the very beginning prevailed in Hungary; but in principle it is essentially the same. At all events, it is evident that the Protestant Church would not have been able to retain its popular constitution if it had not happened to be in such marvellous conformity with the political constitution of the country; consequently civil liberty, in its form eminently favourable to self-government, is a question of life and death to the Protestant Church.

It may be even affirmed without hesitation, that in Hungary the Protestants alone were free in every respect. If, on the one hand, they participated in all the benefits of the political constitution, based upon the principle of election in the broadest sense of the word; on the other hand, it was the same liberal principle which formed the base of their ecclesiastical organiza-

tion. The Protestant Churches of the two confessions was nationally divided into communes, districts, and diocesses. In the commune, each member, rich or poor, had a legal vote; the commune elected its schoolmaster and minister, and had power to revoke them. The affairs of the district were managed by the representatives of all the communes composing it, and those of the diocese, on the same principle, by the representatives of all the districts. The general assembly, diocesan or sometimes synodal, elected by universal suffrage, acted in its sphere as a legislative body with almost sovereign power, managed the foundations, modified the statutes, selected the professors of the gymnasia and public colleges, and determined the system of education. It is true, that all the expenses were borne by the members of the church; the state contributed nothing, nor did it all interfere except to see that the general laws of the country were not violated, and no instance of the kind can be remembered.

This admirable ecclesiastical self-government

was totally subverted in 1849, simultaneously with the civil self-government. The Protestants are no longer independent; their affairs are managed by decrees; every official is appointed by the central government; free election no longer exists: subdivisions of historical origin, sanctioned by the traditions of centuries, have been changed: they have been compelled to use school-books composed by Jesuits: it was even attempted to suppress all their superior schools, by making their existence depend on material and moral conditions impossible to be fulfilled. For instance, if a gymnasium or an academy does not accept German as the medium of instruction, though a language unknown to the pupils, the said establishments, some of which receive from one thousand to fifteen hundred pupils, are not authorized to deliver valid certificates.

Thus the Protestants have most abundant and most powerful motives to be dissatisfied with the present system, as they have not only lost their civil liberty, but also their nationality, to whatever race they belong; and, to complete their

misfortunes, their intellectual progress and liberty of conscience are in the utmost danger.

But it is unnecessary to dwell longer upon the particular grievances of classes, sects, and races, for I can fearlessly assert, that the whole people of Hungary have been cruelly injured in all they hold dearest and most sacred: in their material interests, their intellectual progress, their national sentiment, their religious belief, their manners, their traditions—in fact, in everything that distinguishes the social, national, and religious life of a nation.

The welfare of the whole country has been mercilessly sacrificed to considerations purely fiscal. The Austrians have quintupled the taxes, besides introducing town dues, stamp duties, the tobacco monopoly, and a tax on inheritances, all of which were previously unknown in Hungary. This country, which had not a farthing of debt, now has to bear the burden of £240,000,000 sterling of the Austrian debt.

For political reasons, too, Hungary has been inundated with thousands of gendarmes, whose

presence has only had the effect of increasing crime in the ratio of eighty per cent. These brutal myrmidons, selected from the army, and nearly all foreigners, are invested with the right of entering private dwellings at any hour of the day or night; a power so much the more scandalous in Hungary, as before 1848 the liberty of the person and the inviolability of every home was sacred; even a judge could not arrest a person or enter a house without written authority. For in bygone times with us, as in England, according to the poetical expression of Lord Chatham, 'every citizen was sacred as an altar, every house as secure as a castle.'

I leave you to imagine to what degree the proud spirits of the Hungarians must be irritated and wounded by this despotism, so foreign to their usages. At the same time their oppressors introduced the passport system, till then unknown in Hungary as it is in England, so that the inhabitants who formerly could travel freely all over the kingdom, must now obtain permission to go from one village

to another. Just fancy, for instance, a family who, wishing to celebrate the birth of a son or the marriage of a daughter, should invite their friends to a merry-meeting ; but all at once a gendarme enters without permission, throws himself down in the first arm-chair, lights his pipe without saying a word, and then takes an insolent survey of all the company, to see if they are doing or plotting anything against the safety of the state, or rather to make all the company feel that he is the master and they are all slaves. Such is a faithful and curiously idyllic picture of the social life which now exists in Hungary.

Intent on realizing her designs, Austria has reintroduced the Jesuits into Hungary, whence they were driven about a century ago: she is determined to place the education of all the youth in the hands of monks; she has had new editions of the Latin classics and other school-books prepared on purpose for the furtherance of her views, thinking that the best means of training slaves for her empire, which leaves them no rights, but only imposes duties.

Austria thus blindly advances in her traditional work of denationalization, brutally checking every patriotic aspiration ; and in that respect she treats the Roumans, the Slaves, and the Croats, her imprudent allies of 1848, still worse than the Hungarians, over whom she would not have triumphed without the assistance of the Russians. Not only are her decrees published in a language unknown to the great majority ; not only are students compelled to learn the sciences in a language foreign to them ; but, what is more, the national colours, songs, and usages are forbidden. A broad-brimmed hat on a man, and a tricoloured bow on a woman's dress is a treasonable crime, and the first gendarme who passes has a right to arrest the wearers.

We may say, in short, that the object of Austria is to extirpate the spirit of patriotism from the heart of every Hungarian. An impossible task, if ever there was one ; for, be it a vice or a virtue, the earth does not hold a people who love their country and liberty with more pride than the Hungarians. It is precisely this

enlightened patriotism which constitutes the indomitable strength of the Hungarians, as the complete absence of any such feeling in the other provinces is the cause of Austria's weakness as a state. Even among the Italians and the Gallicians, the cause of discontent is not so much an ardent patriotism, that is, the love of a free country, as a longing for national independence in the former, and an intense hatred of foreign domination in the latter. It is unnecessary to speak of Bohemia, Moravia, the Tyrol, and the other provinces; it is so long since they have been anything, that they have almost forgotten it.

But Hungary, from A.D. 893, was till lately a great, free, independent, and well-organized state. There was a time when no country in Europe surpassed it in extent and power; when three seas formed its extreme limits; when, unaided, it bore up against the storm which, coming from the East, threatened to overwhelm the West. What then can be more natural than that these different races, living and struggling

together for a thousand years, should have learned to love their country with a common love? For no feeling of jealousy troubled their harmony. We now find all these races such as they were in the olden time; none of them has been absorbed by the others, and those who believed that in 1848 the idea of nationality had for ever annihilated the spirit of patriotism amongst us, now see how completely they were mistaken. A momentary jealousy, excited by perfidious intrigues, again gives place to love of country.

Those who would judge correctly of the situation of Austria and the vitality of Hungary must never overlook the political character which distinguishes this country from the other provinces of Austria; which is, that in this empire Hungary alone has a history of its own, and is imbued with a patriotic spirit, and that this historical patriotism, full of vigour and ardent, will not let it perish.

But before concluding this letter, I must, as an impartial advocate, state the facts which

seem to testify in favour of the Austrian government. In saying that Austria has altogether abolished the Hungarian constitution, I am wrong; for there is *one article* she most religiously observes, namely, that which sanctions the forfeiture of the estates of persons convicted of high treason. Although our code has been replaced by that of Austria, in which no such forfeiture at present exists, the dynasty maintains this right exceptionally in Hungary. It is true, that this single article produced about £2,000,000 sterling in 1849.

I have also said that the national colours, songs, and *costumes* were strictly prohibited. This is not absolutely true either: on the contrary, Austria has selected the Hungarian costume as the uniform of the foreign officials she sends to Hungary. Is not that adding ridicule and mockery to injustice?

Possibly; but such is the fact.

THIRD LETTER.

BEFORE I speak of what Hungary is inclined to do at present, allow me to give you, without touching on the particular interests of classes, races, and religions, a broad sketch of what Austria has been doing in Hungary for the last ten years.

The trial to which Austria has subjected Hungary is nothing new. The device of the Hapsburg policy with regard to Hungary is clearly expressed in a document deposited in the secret archives of the court, in which are these words: *Oportet facere Hungariam catholicam, Germanam et miseram.* In the course of

little more than a century, Austria twice tried to realize this inhuman policy; in 1673 under Leopold I., and in 1789 under Joseph II., but in both cases unsuccessfully. Under Leopold I. the attempt was soon given up, for Hungary was bigger than the monster which wanted to swallow her. The efforts then made effected no change of consequence in the national life; but the experiment of Joseph II. led to important events in after years.

Joseph II., that philosophic and reforming sovereign, was in principles a liberal, but a despot in his means. His plan was to create, by arbitrary ordinances, and not by pacific and progressive assimilation, an *homogeneous German* state, and this project the present emperor has revived; with this difference, however, that the former wanted to acquire absolute power with a view to the more speedy realization of his liberal ideas, whereas the latter wishes to make centralization the means of arresting all progress, moral, intellectual, and political. Joseph II. did evil as a means of accomplishing a good

purpose; Francis Joseph employs evil means for an evil end: that is the great moral difference between their objects.

The difference between the two epochs is less remarkable. Joseph II. found his subjects peaceable, in tranquil possession of their liberties and their nationality; unfortunately he assailed both, and but for his early death and the revocation of his unconstitutional decrees before he died, a general insurrection would have certainly ensued. It is from this period, 1780 to 1790, that the national and political revival of Hungary dates. If it was the Hungarian race which courageously took the lead in the movement, in struggling for the constitution of the country in general, for its own language in particular, it was assuredly a meritorious deed; and in so doing the Hungarians certainly did no more than their duty to their country and their race. The Roumans, Slaves, and Croats gave no signs of their national vitality till a later period, 1835 to 1848, although the constitution of their country afforded

them, as well as the Hungarians, equal opportunity and the necessary means.

This essential difference between the tendencies and the characters of the two periods has altogether escaped the penetration of Austrian statesmen. If Joseph II. failed in his bold undertaking at a moment when the population of Hungary lived *politically* rather than *nationally*, surely Francis Joseph must fail now that not only the Hungarian race has made great progress in literature, science, and arts, but that the other races are actuated by a strong feeling of nationality. Besides, do we not see that it is the spirit of the present epoch? Is it not the dominant principle in the minds of nations, a spirit which will soon prevail in the universal policy of states? It was easy enough to effect the fusion of nations when they were well nigh inanimate; but when full of life, they may be massacred, never absorbed.

The enterprise was all the more difficult, as in Hungary the national question is at the

same time a political question: the two are inseparably united. The government was well aware of that; and the people felt it also: it is precisely for this reason that it adhered with all its might to the national movement, which gave extraordinary force to the constitutional and liberal movement, so diametrically opposed to the retrograde principles of Austrian policy. This is the *true reason* why the prompt development of the Hungarian element was so displeasing to the government. It was to arrest this liberal progress, which it considered so dangerous, that the dynasty had recourse to every possible means of arousing the national sentiment among the other races: and it ignored the Panslavist intrigues among the Slaves though the impulsion was given by Russian propagandism, which might become dangerous even to the dynastic interests.

Whilst the Roumans, the Slaves, the Croats, deceived in their expectations from Austria, bitterly regretted the past, she perseveringly laboured for ten long years at the Sisyphean

task of naturalizing the German language in Hungary. The only result she has attained is to have rendered the German idiom equally hateful to all the races, and to see them all united in one common feeling of their danger—a danger only to be averted by renewing their alliance. Whichever race may begin the struggle, the others will be sure unanimously to follow the example.

I here repeat, that the end constantly pursued by Austria is the formation of an homogeneous centralized monarchy, reduced to one dead level of slavery. But to attain this uniformity it was indispensable to Germanize and make Catholics of all the people in the country: to centralize it, all provincial constitutions and customs must be abolished; lastly, to insure equality it was indispensable to dismember the larger states, dividing them into provinces easy to be held in subjection. This was precisely the case of Hungary, which contained a population of 15,000,000 out of the 36,000,000 of the empire, and had a territory of 6,175 square

geographical leagues out of 11,729, that is, more than half the Austrian territory. Accordingly, immediately after 1849 they began to partition Hungary. First, Croatia and Slavonia, with 332 square leagues, were detached; next Transylvania, with 1,102; the Woiwodina, with 545 square leagues; the military frontiers with 609. The rest of Hungary was also divided into four separate governments. Such was the treatment adopted towards this great state, proud of its historical existence of a thousand years; just as surgeons might begin dissecting the body of a man whom they supposed to be dead, but whom their deep incisions may suddenly revive to the unspeakable horror of the criminal operators.

Hungary bore this painful operation with a degree of patience approaching complete insensibility: she gave the government every facility for experimenting on her body and her life: she did not raise a single difficulty. Was it owing to exhaustion after her heroic struggles? Was it attributable to her fatalist tendencies,

from which the Hungarians, an Oriental race, are not quite exempt? Was it that *vis inertiae* which in the course of centuries has so often saved their country? Was it the cool calculation of a prudent man, who in suffering knows how to bide his time? I think these causes coexisted, and even that Hungary, in the consciousness of her greatness and strength, might be curious to see whether the power the most despotic, and the freest to act according to its will and pleasure, would succeed in transforming a state into a province, a nation into a horde.

Austria, in the intoxication of her triumph, seemed to think she had the right and the power to treat Hungary after 1849 as if conquered by her own right arm, forgetful of the shrewd remark long ago made by Machiavel: "Wise princes do not consider that a great victory, for which they are indebted to foreign troops."

Austria, thus engaged in an undertaking so far beyond her strength, reminds me of a madman, who having a high mountain on his estate,

should resolve on hewing it into some other form than that which it had received from the hand of its Creator: he might cut, and dig, and bore until the mighty mass, long patient and motionless, at last sent down a thundering avalanche and crushed him to atoms.

But let kings remember that what God has created defies the puny efforts of man.

FOURTH LETTER.

THE grievances I intend to relate in this letter, sir, are not, so far as principles are concerned, of such importance as those I have already enumerated. But as, on the other hand, they bear upon the every-day relations of private life, they are the more deeply felt, and affect a greater number of persons, since their irritating action extends to all without exception.

Everybody, alas! has not a heart that bleeds to see liberty and his country in danger, the national independence threatened, or a glorious future darkened. Such cares seldom affect the great majority of a nation. Every man, on the contrary, acutely feels the arbitrary provisions of decrees, the uncertainty of affairs, provisional

regulations, and the harassing and vexatious arrangements which meet him at every moment of his social life, in his private affairs, in his personal fortunes, in his habits, allowing him, whether in his business or in the bosom of his family, neither safety nor repose. Well ; it is of this every-day life, so troubled now in Hungary, that I wish to say a few words.

You belong to the English nation, whose greatest quality is love of country. Your country, its manners, its liberties, are more widely known than those of Hungary. I therefore take your country as a point of comparison, that you may be the better able to judge of the humiliation which has befallen my native land, unhappy Hungary.

Just imagine, though it is very difficult, I confess, to imagine anything so far beyond the range of possibility ; just imagine, I say, England subjugated by a foreign conqueror, and fancy that everything has been overthrown. You had not a farthing of debt, and he imposes on you the interest of hundreds of millions ; you had never

paid above 10 per cent. in taxes, and he compels you at once to pay 50 per cent.; you had ever been a total stranger to stamp duties, and taxes on inheritance, he imposes both; you had always been free to grow tobacco on your land, and sell it when and where you pleased; he either forbids you to grow any at all, or else allows you to do so on condition that you shall sell it to him alone, and at his price; you could travel from place to place, all over the country as free as a bird, and he forces you to obtain a passport if you merely go to a neighbouring village to see a sick friend.

But that is not all. You send your son to a college where the sciences are not taught in German, which is regarded as a revolutionary symptom on your part; your son excels in his studies, but his industry and your money are both thrown away. He can get no legal certificate of proficiency, because German is the language in which everything must be known. You are called upon to give evidence as a witness, or you have a claim to enforce by action at law: in

he former case all questions are put to you in German, though you do not know a word of that language, and in the latter you lose your cause if you have not sued in the official language, as truth, to be recognized, must put on a German dress. You go to state your case before a tribunal: one of the judges is a Bohemian, who does not know Hungarian; another a Pole, who is ignorant of Rouman; while the third is a Tyrolese, of Italian origin, and so on; yet these men decide causes, though only cognizant of the documents produced through the medium of wretched translations. You are quietly seated in your study, fancying your house an impregnable castle—and such was the old law in Hungary as in England—but the door suddenly opens, a gendarme stalks in; he demands what you are reading, and if he thinks the book a dangerous one, he snatches it away and carries it off. You will not complain if you are prudent, your person might be in danger: if silent, you will perhaps only lose your book. Finally, you have paid your heavy taxes to the utmost farthing,

by depriving yourself and your dear family of all the comforts of life ; but the conqueror's collector comes round again, and presents the list of a so-called voluntary loan. If you do not put down your name for the sum he tells you, it will be added to your taxes next year, and to refuse paying taxes is a sign you are a revolutionist, and that is high treason.

Believe me, sir, that I do not exaggerate. This is a faithful picture of the actual life of a resident Hungarian ; turn which way he will, his heavy chain still galls him.

We have never been and never shall be so powerful as you ; our men do not shine as yours do, like so many stars above the horizon of the world and of humanity ; our flag, though once glorious, does not float like yours on all the seas of the globe. But we were rich in rights, in liberty—as rich as you are. You may therefore, as an Englishman, easily conceive with what deep grief we bear our present humiliation.

Add to this the wildest and most inextricable confusion, as well in the civil and commercial

laws regulating the relations of private life concerning property and business, as in the criminal law defining the nature and limits of crimes and punishments. Hungary had her own laws, written in successive ages. They did not form a uniform code made all at once; like yours, they arose one by one, to meet the requirements of the day, and in time fell into desuetude partially or entirely. Besides, there were many usages and customs having legal force, sometimes even in direct opposition to the written laws. These usages were orally transmitted from one generation to another, and existed solely through unbroken custom. I may be wrong, but it seems to me that such laws and customs, seldom changing, deriving their force from daily observance of their precepts, being transmitted from father to son as an intellectual heritage and a tradition, blend more intimately with the manners of a people than merely written laws. People read the text of the latter, but they live in the spirit of the former: a traditional law becomes like a second nature.

It is scarcely conceivable, but it is nevertheless a fact, that Austria, in her stolid pride, thought she could suppress by word of command all these laws, customs, and usages, which nine long centuries had deeply imprinted in the intellectual and social life of the Hungarian people. How could she think it possible? Had she ever tried to change the colour of flowers as imparted by their native soil and the bright beams of the sun? Had she ever tried to efface the deep-seated veins of an antique marble vase? For just so do the ideas, the passions, the interests, the traditions, the events of a long past capriciously but indelibly colour the life, physiognomy, and character of a nation. You may destroy flowers and marble, but to change the colours of the one, or efface the veins of the other, is beyond your power. On seeing Austria engaged in this impossible task, I cannot help thinking of Xerxes, another despot, who in his pride presumed to command the wind and waves, which obey only God their Maker.

Austria, however, persists in her gigantic and

unnatural undertaking. By abolishing the Hungarian laws, and putting Austrian laws in their place, and again changing what she had but just enacted, she has completely overthrown all the known and received notions concerning property, contracts, crimes, punishments, rights, and duties. To-day, for instance, some one thinks himself next in succession to an estate ; to-morrow comes a decree, and his claim is abolished. What is permitted one day becomes illegal twenty-four hours after ; the misdemeanour of one day is declared a crime the next.

You may easily imagine the uneasiness felt by everybody at these eternal uncertainties and fluctuations affecting property and business, the liberty, and even the life of individuals. For ten years past, the government with unceasing activity has been piling decrees on decrees, laws on laws, ordinances on ordinances ; and all those enactments which concern the private relations between citizens and the different branches of the public service are still only provisional, nothing definitive. Is there anything astonishing in the

fact that even those who were the most apathetically resigned to await the result of the Austrian experiments, should at last lose all patience? 'Is it not high time,' they ask, 'to abandon all these useless attempts? Are we to be for ever condemned to remain under such ruinous provisional arrangements? When, after ten years, which now-a-days are equal to half a century of ancient times, a government legislating with an authority that knows no bounds but those inherent in the very nature of things, has neither been able to conciliate nor tranquillize the country, nor do anything for a permanency—has not such a government furnished the most irrefragable proof that what it would do is absolutely impossible?'

Such is the general opinion in Hungary.

Do not suppose, sir, that Austria even protects the material interests of our country. At all events, she never fails to obstruct all undertakings that have a moral or intellectual bearing.

For instance, I will merely mention three institutions which were founded and endowed some fifty years ago by the public and certain

generous patriots, at an expense of several hundreds of thousands sterling. Such is the Academy of Science, established in 1825, but arrested in its civilizing labours in 1849, and which, after numberless applications, has only just obtained permission to exist and act in this tenth year of oppression. Such is the National Theatre at Pesth, which was not only viewed with disfavour by the government, but its ruin was resolved on beforehand, and for that purpose a considerable subvention was given to the German theatre in that city out of the public treasury. It happened, however, that while the national theatre prospered, having the public in its favour, the other is bankrupt every year, precisely because it is supported by the government. Such is, in the third place, the *Ludoviceum*, founded in 1808, with a view to impart instruction gratuitously, especially in the upper mathematics and military science, to several hundreds of pupils. What use would you suppose Austria has made of the building erected for this institution? Why, she sometimes makes it a military

hospital, and at others a storehouse for forage. It is one of the largest and most splendid palaces in Pesth, built on the banks of the majestic Danube, surrounded by a royal park—and, in short, is a splendid public edifice, worthy of the sublime patriotism which reared it. No true Hungarian, as he floats by it on the waters of the Danube, can see it without shedding bitter tears, for it reminds him of the happy past, when his countrymen could build such a palace for the education of youth, and compares it with the gloomy present, when it is closed against him, the Austrian government in this instance emulating the Turkish barbarians of old.

It is a fact worthy of notice here, that if the Austrians were to quit Hungary at the present time, they *would not leave behind them any trace of their three centuries of domination*—not a monument, not a single institution of public utility, not one vestige of benefits conferred. Austria has done absolutely nothing for the country. Everything that has been achieved in favour of literature, the arts, education, agri-

culture, or public improvements, is exclusively the work of Hungarian patriotism. Indeed, it has been necessary to maintain a long and arduous struggle in order to obtain the permission of the government for any amelioration, however trifling. For the emancipation of the peasants, for civil and political equality, for making all persons equally liable to taxation, we had to make continuous efforts for twenty years, and these objects were not attained till the so-called revolutionary Diet of 1848 proclaimed the grand principle of equality, which the Austrian government was forced to adopt and maintain, notwithstanding its origin, and of which it now dares so mendaciously to boast as a merit of its own.

Believe me, sir, if we are in so many respects behindhand as compared with other great nations, the fault is none of ours. We have never had a government conscious of its high mission, which consists in showing a people how to secure its well-being. Ours, on the contrary, would never let us take a step in advance. Its

sole object seemed to be the obstruction of our moral and material progress by every imaginable means. Backward as we were, the Hapsburgs found us too free to be easily governed, and they no doubt thought we should be still more unmanageable if allowed free scope for moral and material development. Therefore, if Hungary and her people are laggards in the path of improvement, the fault, *before God* and man, is wholly chargeable upon the Hapsburg dynasty.

Looking at things from an Austrian point of view, it is not perhaps altogether irrational that the government should endeavour to extinguish every spark, however feeble, which might some day add to the general conflagration. But how explain the obstinacy with which she opposes all agricultural improvements? You are aware that Hungary is more particularly an agricultural country. The incomparable fertility of her soil, the infinite variety of the productions of her climate, the noble passion which leads her sons to prefer that occupation, clearly indicate agricul-

ture as the principal source of the riches of the country. In fact, Hungary is wholly agricultural, her manufactures are next to nothing. If agriculture has not yet attained the highest degree of development, the cause must be sought in several circumstances, such as want of labour, for the territory is extensive and but thinly populated ; next, the landowners had no stimulants to increase their produce, for Hungary being separated from the other provinces of the empire by a barrier of custom-houses, the emperor, as Archduke of Austria, and as King of Bohemia, opposed exportation on every frontier, and even mere transit, so that having no foreign market for her produce, Hungary had no motive to grow more corn than sufficed for her own consumption. Add to this, that very extensive estates, of which we have a great number, are not apt to be over-carefully cultivated.

But the position of the great landowners, some of whom have estates larger than many a German principality, became very difficult in 1848. The Hungarian Diet, with the full

assent of the privileged and sole proprietary class, having proclaimed civil and political equality, at the same time abolished all compulsory labour, and severed the bond of dependence which existed between the nobles and the peasants. This was not only a revolution (a peaceful one indeed) in politics, but in agriculture likewise. In fact, the old system of compulsory labour placed several millions of days' work at the disposal of the landowners; but by the emancipation of the peasants, they were deprived of this labour at one stroke of the pen. The tilling of the land, therefore, which chiefly depended on this forced labour, was completely disorganized.

To enter resolutely on a new mode of culture, to secure the only riches of the country, and save both great and small landowners from the ruin which threatened them, considerable capital was necessary. But in the deplorable financial and monetary situation of the empire at that time, where was it to be obtained—and especially at a rate of interest that would not precipitate

the ruin of the borrowers? The landowners at last, remembering the old proverb, "Heaven helps those who help themselves," conceived the project of an agricultural bank, the capital of which should be solely applied to meet the most urgent necessities of the national agriculture. This was an institution which asked for no aid at the hands of government, but was to be founded exclusively by the interested parties themselves. You would perhaps be inclined to suppose that the government encouraged them, and did all in its power to promote the establishing of this bank! Nothing of the kind; for the last ten years, its projectors have been soliciting permission to carry out their design, and the government of Vienna has turned a deaf ear to every application.

If you ask me to explain this mystery, I must confess my inability; for, after all, Austria is eager to draw from the country the utmost possible amount in the shape of taxes. Why, then, not open new sources of wealth? This policy is incomprehensible and absurd: the only

explanation I can find lies in the ferocious and eternal hatred of the Hapsburgs against Hungary. They seem to have ever before their eyes, by day in the form of a cloud, by night of a flaming fire, this third phrase of their device : *Faciamus Hungariam miseram*.

In fact, fate lays her iron hand most heavily on poor Hungary. Estates formerly flourishing are now, for want of capital, melting away under a crushing weight of taxation ; ancient families, happy and laborious when their country was free, are disappearing one after the other ; they cannot even now find a grave in the land which they have tilled as their ancestors had for centuries.

But it would seem that this fate awaits the Austrian empire itself. Its debt, which was only 80,000,000*l.* sterling in 1848, has since then risen to 240,000,000*l.* Its annual deficit is estimated at from one-sixth to one-fourth of its budget. It has sold by auction its railways ; gold, silver, and coal mines ; its domains, nearly all in Hungary, and it has resolved soon to

sell our crown lands, which are worth several millions. That the Austrian government should wish to sell them is not very astonishing, but that anybody should venture to buy them passes my comprehension. When Hungary shall once more be free, will she sanction this usurpation, this sale of lands (for instance to the *Crédit Mobilier* of Paris), which did not belong to the person who sold them? As Hungary is not in a position to protest against this illegal act, I here publicly protest in her name.

After all these sales and alienations there really remains nothing more to sell but the *empire itself*; and that is already in part effected (for the peace of Villafranca, so far as concerns Austria, is merely a sale). What a monstrous event in history—*an empire for sale*! Let us hope, however, that the Hapsburgs will not have time to close the bargain.

FIFTH LETTER.

I TRUST that I have convinced you, sir, by what I have rather glanced at than developed in my preceding letters, that the Hungarian nation has been violently assailed and injured in all that constitutes the existence of a collective being; in its material interests, its national independence, its aspirations towards a higher civilization, its liberty of conscience, and even its social manners and family usages—these last being things indifferent in themselves, but nevertheless they form, as it were, the second nature of nations.

Mute with grief, having drained the cup of bitterness to the dregs, being reduced by mani-

fold sufferings to that last stage of weakness, which is sometimes changed into irresistible strength (as seen in persons labouring under certain diseases), Hungary at length begins to look around her, and to compare her strength with the danger and the struggle she sees approaching. As I told you in my first letter, for the last ten years she has been collecting her scattered senses. But the political horizon now appears to get brighter abroad, especially on the side of France, which has powerfully interfered for the Danubian principalities and Italy; and in the direction of Russia, which still turns a sullen look on Austria, as did Achilles, after returning to his tent, on the selfish Agamemnon. During this interval of ten years, the Hungarians have had time enough to sound the real feelings of the other races in the country, who on their side are ready to support them in the general movement: all the races are drawing closer together, bearing the olive-branch as an emblem of fraternity; their arms are now all turned against the common enemy.

This internal reconciliation (an indispensable condition for Hungary's success) was already tolerably advanced at the time of the Crimean war, but it was completed when the war in Italy made Europe ring with the magic words inscribed on the French flag—National Independence! The Austrian dynasty, which till then had eyes without seeing, and ears without hearing, began to perceive the signs of the times, and to hear the rustling of coming events. It is certain that if the peace of Villafranca had not been concluded, one of two things would have happened: there would either have been a general insurrection in Hungary, or, to prevent it, Francis Joseph would have been forced to re-establish the old constitution. Unfortunately for us, peace being concluded, he thought it would suffice to make a few promises and grant certain illusory concessions.

But does he suppose that he can thus encourage legitimate hopes and refuse to satisfy them? Does he indulge the delusion that he will be able, with a sheet of paper, to turn aside

the hurricane ready to burst upon him? Does he flatter himself that a few fair words will arrest the waters of a mighty flood which increases with every advance?

In any case, the very discussions occasioned by his promises gave the Hungarians a fine opportunity for expressing their opinions on the existing system with all its abominations, and also of proclaiming their national and political sentiments.

We need not occupy ourselves with the constitution so frequently promised during the last ten years, but which, nevertheless, still remains, happily for us, in the ministerial portfolio. At present, the government is more modest in its aims. The first thing to be done, it said, was to organize the commune in the state. For that purpose, in the eight lieutenancies of old Hungary, it convoked its *men of confidence* in consultative assemblies to ask their opinion. But what a surprise here came upon the ministers! These *men of confidence*, *good men and true*, assembled under the presidency of a

general at Temesvár, the capital of the Servian Woiwodina, that diminutive state, formed and so named to flatter the vanity of the Serbs—these men of confidence premised by making two demands: first, they wanted to have the Woiwodina reunited to the mother-country; secondly, they desired the immediate convocation of the Hungarian Diet, which alone can act in what relates to public affairs. As the government was not prepared to grant either of these requests, you may be sure the men of confidence were very speedily sent back to their homes.

The same attempt was made with like result at Zágráb (Agram), the capital of Croatia, where Jellacsics so recently represented the camarilla of the court of Vienna. The same thing also happened at Szeben (Herrmannstadt), the newly-created capital of Transylvania, in spite of all the efforts of the government, which for ten years had been labouring to make the Saxon and Wallachian element predominate over the Hungarian. Indeed, their efforts were

not altogether ineffective, but the result was *against* the government.

After these signal failures in Croatia, Transylvania, and the Woiwodina, the government took care not to convoke similar assemblies in the other five lieutenancies of Hungary. Indeed, all persons who possessed the least public consideration peremptorily refused any such mission ; and, on the other hand, the ministers, not without reason, began to mistrust even their own men of confidence.*

This spirit of opposition was manifested everywhere, both in great things and small.

I will cite an example of this, less important than the events just mentioned, but not less significant. The government had ordered that in the towns containing a mixed population of Slaves, Germans, Hungarians, and Wallachians, such as Pécs, Kassa, Eperjes, Szeben, Posony, and many others, the theatres should be alternately occupied by Hungarian and German

* This convocation has since taken place, but the result was still more hostile to the government.

companies. (The Slaves, Croats, and Wallachians, have no drama as yet.) Well, the German companies cannot keep the houses open, because they have no public, whilst the houses are well filled to witness the Hungarian performances, even with persons who do not understand the language of the actors. You would scarcely believe, that at Temesvár, the capital of the Woiwodina, the German players are well-nigh starved, and it is the same even at Ujvidek, a large town with a population nearly all Serbs.

If, during the first years of oppression, Hungary was terrified into concealing her national colours; if she ceased to sing her patriotic songs, and deprived herself of her brilliant costumes, as if in mourning, thus acting in imitation of Nature herself, who, stripping off her leaves and fairest flowers, waits till the frosts and storms of winter have passed away—a complete change has taken place of late. Everywhere in Hungary and the provinces detached from her, as Croatia, Transylvania, and

the Woiwodina, the national colours only are seen—red, white, and green; everywhere you may hear the patriotic songs with their sweet, melodious airs, especially the March of Rakóczy, which, though associated with old and sad memories, excites the souls of all who hear it to noble thoughts and glorious actions; everywhere you see reappear, both on men and women, the brilliant Hungarian costume, so that the hatters and tailors can hardly supply fast enough the broad-brimmed hats and the *attilas*,—a coat inherited from our ancestors, the very name of which is of itself a power.

The Hungarians no longer seek solitude and retirement as heretofore; they are eager for meetings and public feasts, which give rise to significant demonstrations.

As an instance, we may state that the Hungarians celebrated the 27th of October last, the centenary of the birth of the author, Francis Kazinczy, not only at Pesth, but almost everywhere, in all large towns and most villages. All citizens joined without distinction of race or

religion. As a writer, Kazinczy is the reformer of the new Hungarian literature; in religion a Protestant; as a citizen he was, in 1793, the zealous propagator of *liberal ideas*, and having been condemned to death for that crime, he passed seven years in the fortress of Kufstein. His memory is therefore nothing less than the personification of Hungary, who also suffers, because she wishes to remain national, free, and tolerant in religion.

Then, again, the fête given by the Prince-Primate of Hungary, the Cardinal-Archbishop of Esztergom, to celebrate the fiftieth year of his priesthood, offered an occasion for a manifestation similar to the preceding. The number of guests who came from all parts of Hungary exceeded a thousand, prelates, nobles, and citizens. The most eminent men in the nation were there—all dressed in their richest national costumes. Although the Archduke Albert, Governor-General of Hungary, presided at the table, that did not prevent them from drinking the health of the apostolic *king*, instead of em-

peror, which is to us an unconstitutional title; and this revival of the old constitution was saluted by the most enthusiastic applause. The Archbishop of Eger even had the courage to make a very significant allusion to those two words, "*lege et fide*," the favourite motto of the Hapsburgs; and you know well that the dynasty has not observed either the *law* which ought to be its rule, nor *good faith*, as it has trodden under foot the solemn oath it took to observe the constitution.

Once more, only a few days since (23rd November last), at the opening of the Transylvanian Museum, at Kolosvár, the most considerable men of the *two* countries came in great numbers to show the patriotism and public spirit which animates them. I cannot give here any adequate account of the public rejoicings on that occasion. Hungary and her sister country are, *par excellence*, the land of merry feasts and eloquent toasts, torchlight serenades, all accompanied by national music and tricolour flags. I shall only notice this

solemnity in a national and political point of view.

You must know, in the first place, that with us all public institutions owe their existence to the patriotism and munificence of *individuals*. The government has never founded anything. This museum is also the work of voluntary contributions, and it might have been inaugurated years ago, had it not been compelled to await the permission of the minister at Vienna. The opening of the museum was therefore a victory of patriotism over the sullen ill-will of the government. Moreover, as it took place in presence of the representatives of the two countries, erewhile united, this manifestation signified that the countries, though politically separated, still felt themselves indissolubly bound together, both morally and intellectually. Then the first act of the founders of the museum was another triumph. The ministry, on its consent, which was most reluctantly given, left the point undecided as to what language should be used in the affairs of the museum, no doubt relying upon

the members of Saxon and Wallach origin. Well, the 383 founders in the ballot all voted for the Hungarian language,—even Prince Lichtenstein, Lieutenant-General and Governor of Transylvania; he perhaps foresaw that if he voted for the German language, his vote would have stood *alone*.

Be convinced of two truths, sir. First, that the sentiments of nationality, independence, and love of liberty have never ceased to exist in Hungary, though, for a time, it was useless and dangerous to give them expression. Secondly, that the Hungarians are now eager to take advantage of every opening to proclaim those sentiments.

In support of the former assertion, I will adduce an historical and statistical fact. The dynasty of the Hapsburgs, in its supreme hatred of the Hungarian race, which was the head and arm of the insurrection of 1848, thinking it possible to demonstrate to all Europe by indisputable figures the great minority of this (to them) accursed race, and to make it a prey

to the vengeance of the other races which they had succeeded in exciting, ordered a general census in 1850-51, and employed for the purpose none but foreigners sent designedly from other provinces. Each individual was subjected to an interrogatory of the most vexatious kind; and every man was entered as a German, a Slave, a Serb, a Wallak, or a Jew, who, although he declared himself a Hungarian, did not speak that language well, or whose name betrayed another origin, whereas, if any cringing Hungarian declared himself a Slave or a German, his word was taken at once. Lastly, after nine months of this new kind of national inquisition, they were obliged to acknowledge that the Hungarians amounted to nine millions. Of course this census was at once annulled, and another was taken by the *military officials*. This time the result was rather more favourable to the ministry, as only 7,300,000 Hungarians were found. How shall we explain this general eagerness of the inhabitants of the country, immediately after the defeat of the Hungarians, to

enter themselves under that designation in the registers of the state? Assuredly, it could not be owing to the fact of that name being either honorific or aristocratic; formerly, it is true, such was the case: but the real cause will be found in this circumstance, that even among the hostile races, a great number of persons, being convinced that the Austrian system is both anti-constitutional and illiberal, determined to enter their protest against it by declaring themselves Hungarians.

To prove the second assertion it would be necessary to enter into a detailed account of the events of every day which happen in public or private society; to relate with what noble pride the men wear the broad-brimmed hat and feathers, or the belaced *attilas*; how they speak aloud in Hungarian when Austrian officers are near; how they shun, detest, and haughtily overlook the foreign officials, who, though well paid by their government, are most unhappy in their posts, and are only anxious to get back home again;—to tell you, in short, how the

aristocracy, the greatest landowners in Europe, stand aloof from the government, so that, numerous as they are, not two in a hundred will accept any office whatever.

I will only mention the petition of the students of the University of Pesth, who, to the number of six hundred, belonging to all the different races who inhabit Hungary, signed a petition for the introduction of the Hungarian language as the medium of instruction, alleging, as a reason, that they could not understand either Latin or German. They carried the petition to Vienna, where they not only were not received by either the emperor or the minister, but were immediately sent back to Pesth, and will, no doubt, be expelled the University, if they are not already.

You must not suppose, however, that national progress, in an intellectual point of view, has been altogether arrested. By no means. A vigorous mind cannot remain stationary; the labour continues, but takes another direction. The Hungarians, seeing the career of political

activity closed against them, turned their attention to literary efforts. They felt that if they could not strengthen their nationality by expansion outwards, they were bound to guarantee it, perhaps save it, by internal consolidation, by giving it an intrinsic value, by making their language and literature the receptacle of all the arts and sciences. In fact, if our literature cannot boast since 1849 any *new* masterpieces in poetry, philosophy, or politics, which was hardly to be expected in the oppressive atmosphere where it vegetates, it is at least indisputable that it has gained in extent and variety, and has a greatly-increased proportion both of readers and authors. Between 1854 and 1859 the number of journals of all kinds increased to 55, which is more than existed before 1848; but the number of subscribers and readers has increased in a sixfold ratio; and, what is most important, the passion for reading has extended to the people even in the remotest villages.

In fine, our literature is at present a tree which, while spreading its branches far and

wide, has taken deep root in the mass of the people. In that lies the great strength of our nationality; no tempest can henceforth uproot it.

It would not be, indeed, at all surprising if some apologist of the Austrians should ascribe to his patrons the merit of this extraordinary development.

This is the proper place for proclaiming a truth which the Panslavists and certain German writers corrupted by Austria have endeavoured to deny, namely, that whilst the Hungarians were anxious to protect their own nationality by all legitimate means, *they never attempted to oppress or absorb any other nationality*. Our whole history bears testimony to the truth of this assertion. What race distinct from the Hungarian has disappeared from Hungary during the last ten centuries? None whatever. Is there a single one which is not as numerous and entire as when each of them first settled there? There is not. And have those which the victorious Hungarians found in the country

been absorbed, or have their numbers diminished? Certainly not. If there are countries in Hungary whose population has changed its language, that has happened to the Hungarians alone, as the history of the country places beyond all doubt, and by this peculiar circumstance, that many villages, districts, and families formerly Hungarian are so at present only in name.

The Hungarians have always shown sincere respect and true sympathy for the Germans. The object of their hatred is Austria, or rather the reigning dynasty. Why should we dislike the Germans? Are we not chiefly indebted to them for our literary and intellectual culture? Were they not our masters in the sciences, arts, and manufactures? Have not our youth for the last three years studied in the German universities, and returned home with rich stores of knowledge, as bees, laden with honey, fly back to their hives from the flowery fields? And those who have settled in our country, have they not won our respect, confidence, and

admiration by the purity of their morals, the mildness of their characters, their sober and regular lives, their progress in agriculture, and all the useful arts, in which they have set us excellent examples? Add to this, sir, that the Germans sincerely love their adopted country, that they have completely identified themselves with its dearest interests; though still remaining Germans as to language, they are Hungarians in heart. Thus, in 1848-49, the Germans, with very few exceptions, were most ardent defenders of liberty and national independence.

Assuredly, if there is any country where the German name is venerated, it is Hungary. A German settled in Hungary, and having there completed his political education, grafts the merits of the citizen on those of the man. As a virtuous man, he not only makes a good use of liberty, but as a courageous citizen he joins us in bravely defending it.

The German element, though numerically of little importance, will always exert a salutary influence on the mass of the other populations

of Hungary, but solely on the condition of resting satisfied with the moral influence which is the natural concomitant of superior intelligence and civilization. That influence must be, on the one hand, limited to the degree of superiority of one race, and freely and spontaneously accepted by the others. But Austria does not so understand the matter. In her imperious humour, she would have the German element absorb, tyrannize, and crush the others. Is it then astonishing that she meets with stubborn resistance? Would it be at all strange if the natural sympathies of the other races should be changed into profound hatred of the Germans? Is not the defence of one's own nationality a duty, nay, an instinct, as natural in a people as the defence of his own person on the part of an individual?

The history of Hungary will furnish ample proof of the assertion, that a people may be denationalized by mild treatment, but will resolutely repel all violent means. Maria Theresa, during her long reign, by dint of royal flattery,

winning manners, intermarriages of Hungarian and German families, and well-calculated invitations of our principal nobles to a court exclusively German, had well-nigh succeeded in denationalizing the Hungarian aristocracy. It is impossible to say what Hungary would have become if the reign of Maria Theresa had lasted much longer. But when her son, Joseph II., bent on rapidly completing the work so cleverly begun, had recourse to despotic means for the purpose, he suddenly aroused the spirit of nationality, and thus led to our revival as a nation. Under his mother, our nationality was in reality disappearing at a rapid rate, yet not a complaint was heard on the subject. But under Joseph II., when the danger was far less, a feeling of hatred towards Germans became almost universal.

If such is not the case at the present moment, it is because the people are sufficiently enlightened to distinguish between the *governmental* and *popular* German elements. Should the tyrannical oppression of the former still con-

tinue, the government alone is to blame if the sympathies of the other races towards the Germans daily grow weaker. Sometimes the only means of safety is a general attack on the enemy with all one's forces.

But it appears to me that the state of things between the government and the Protestants is the most critical. The first conflict will probably arise in that quarter. With the Protestants the question relates to free teaching and religious liberty, which are indissolubly united with political and national liberty. They appeal to reasons which admit of no reply: the principle of their religion; the ancient laws which guarantee it; formal treaties of an international character, *sanctioned by other European powers, as England and Holland*; and, lastly, the continuous exercise and peaceful possession of the most complete liberty in everything connected with their schools and religion. And, please to observe, that in their complaints and pretensions they are sincerely supported by the Catholics and orthodox Greeks, with a view

to the happy consequences for themselves which will certainly result from the victory of their Protestant brethren.

The government itself seems to have felt that the most pressing danger was arising on this side; for, notwithstanding its promises made after the Italian war, it has not yet remedied any grievances but those of the Protestants. This explains the publication of the decree of 1st September last. I mean the Imperial patent, which was to serve as a rule for the Protestants in their ecclesiastical affairs. Its eminently liberal provisions caused universal surprise. Foreign journals, especially those of Germany, extolled them to the skies, declaring that the German Protestants themselves did not possess a constitution so perfect and liberal, which could only be compared to that of the happy Presbyterians of Scotland. The system is, indeed, admirable, based on universal suffrage, uniting in beautiful harmony the most perfect order with the utmost individual liberty. But there is one thing that people in general

did not seem to know. Does this system really proceed from Austria? It does not; it is merely the restitution of the rights and democratic organization which the Hungarian Protestants enjoyed from the Reformation downwards, and which were guaranteed to them by the treaty of Vienna in 1606, that of Lintz in 1645, again by that of Szathmár-Németi in 1711, and by many general laws of the State. Thus all that is liberal and good in this document belongs purely and simply to Hungary; what is bad and Jesuitical—and there is plenty of that—is of Austrian origin.

The Protestants consequently refused to accept the patent, on the ground that it contained a radical defect. Did the emperor restore their rights as such? By no means: he proposed graciously to grant them a constitution, which implied that he retained the power to revoke or modify it at his pleasure. To prove his plenary authority, he introduced certain changes; he arbitrarily modified the old historical subdivisions; he would have the bishops,

archdeacons, as well as other influential dignitaries, paid by the State; a principle diametrically opposed to that of Protestantism, which insists upon the most complete separation between Church and State. The Church insists on bearing all her own expenses, but she also insists on being perfectly independent. The Protestants also asked what guarantee they had that this constitution so granted would be faithfully observed by the Government? what were to be the limits of the right of royal supervision, formerly acknowledged and accepted by themselves? but then it was efficaciously controlled by the civil laws, by the political constitution of the country, and by the free institutions which no longer exist.

Immediately after the publication of the said patent, the assemblies of districts and dioceses everywhere met, at Keszmark, Pápa, Debreczen, Posony, Miskolcz, Pesth, and elsewhere, and after solemn debates in the presence of hundreds of persons, they drew up, in the most categorical terms, remonstrances to the emperor,

declaring that they could not accept the imperial patent—

Because its mode of establishment had no basis—neither *real*, inasmuch as the Protestants whom it concerns had not been consulted; nor *formal* (and it is an axiom of jurisprudence: *Forma dat esse rei*), since it is *granted* as a royal favour, and altogether ignores the ancient rights of the Protestants, rights secured to them not only by laws, but also by treaties;

Because it tends to annul the autonomy of internal legislation and administration; further, that it infringes the liberty of universal suffrage in the Church;

Because it usurps a right which does not belong to the State, by interfering with the internal organization of the Church;

Because it gives a dangerous extension to the supervision of the government, restricts the publicity of the debates of the assemblies, and aims at acquiring undue influence by giving salaries to the dignitaries of the Church;

Because by new and arbitrary subdivisions it

destroys the old subdivisions, which are themselves closely united by a thousand moral and material interests ;

And lastly, because, by making the validity of the electors and statutes dependent on the previous consent of the government, it would deprive the Protestant Church of that sovereignty which is the very essence and principle of its life—a sovereignty recognized by law as well as treaties, and which the Protestant Church had possessed for more than three centuries.

If it is true that the Protestants have already seen gloomier days under Rodolph, Ferdinand II. and III., and Leopold I., when they were tortured, plundered, decapitated, sent to the galleys at Naples, or driven to conversion by dragonnades ; when their children were taken from them to be reared in the Catholic faith ; when their goods were confiscated, their schools closed, their churches devoted to the Catholic worship—persecutions, of which M. Michiels, in his 'Secret History of the Austrian Govern-

ment,' has drawn a picture so horrible from its truth that it appears to be exaggerated: it is equally true that the character of these odious acts differs essentially from the attempts of the present government; for then the persons of Protestants were persecuted rather than the principles of Protestantism; then there was no attempt to interfere in the government of the Church; whereas at present the government claims a right to prescribe the internal form and constitution of the Protestant Church. It is clear as the sun at noonday, however, that as the Catholic Church is alone competent for all that concerns her organization, so the Protestant Church is and ought to be sovereign in her own affairs.

The Hungarians, having always lived under a constitution, possess great aptitude in drawing up remonstrances of all kinds. The documents are couched in the firmest language without being disrespectful; they express the whole truth without wounding the self-love or dignity of the person to whom they are addressed; they

do not offend the dignity of the sovereign, nor forget the self-respect which becomes every free man. The Hungarians were always accustomed to say what they thought: for that reason they never conspired; all their history proves this fact; but if their remonstrances were unheeded, they openly took up arms.

If, however, these representations were written in moderate, calm, and dignified language, the discussions which preceded them were very stormy. "*Vitam et sanguinem pro patria*," historical words which must remind the dynasty of the epoch when, saying *Pro rege* instead of *Pro patria*, the Hungarians saved the empire under Maria Theresa. After these sittings there were patriotic banquets attended by four or five hundred persons, not exclusively Protestants, but also Catholics and Greeks, both priests and laymen, who all heartily joined in applauding the patriotic and enthusiastic toasts of their brethren.

This is how the people appropriate and practise the imperial device "*Veribus unitis*,"

giving it a meaning diametrically opposite to that in which the emperor understands it.

It is evident, from what I have now told you, that Hungary is decidedly weary of the humiliating situation which has been forced upon her, and that henceforth she will not submit to be treated as a conquered country. *She is now awake.* An electric spark has passed from one extremity to the other: she already speaks, a sure sign that she is ready to act. Happily the internal reconciliation is fully accomplished: Croats and Hungarians, Wallaks and Slaves, Serfs and Ruthenes, Catholics and Protestants, Greeks of both communions, under their common oppressor, have recognized each other as brethren: the momentary artificial discord has given place to earnest fellowship. These two words, *Country* and *Liberty*, eclipse all other considerations.

You must know that Hungary has never attempted to create for herself an exceptional position: she wanted liberty *for all the provinces of the empire no less than for herself.* Read

what she put forth in her programme of 1847 :
“ We are persuaded that if the *hereditary states* were to become *constitutional nations*, and if the government which rules the monarchy were animated with a parliamentary spirit, *our interests* and *theirs*, which are now often divided, some times even opposed, would be easily conciliated.” Hungary has always felt, even when she alone enjoyed constitutional liberty, that she had an interest in seeing the whole Austrian empire possessed of the same advantages ; she, therefore, availing herself of her peculiar position, unceasingly raised her voice to plead in favour of the liberty of the other provinces.

The people of these provinces well understood this formerly : all their hopes were consequently centred in Hungary ; she was the light of all the nations subject to the Austrian yoke. If in those days their treatment was less despotic, the cause lay in the fact that free Hungary must necessarily, by her example, mitigate the rigours of the government in those provinces, even where it was free to act in an

arbitrary manner. This importance of Hungary was well appreciated in 1848 by the states of Bohemia, which addressed the Hungarian Diet as follows :—

“All the population of Austria are watching with redoubled attention to see what Hungary will do, for they know well that their own present and future lot both depend on what occurs there. The inhabitants of Hungary, naturally energetic, have been less subjected to a systematic pupillage and mental slavery. They have preserved entire the inestimable treasure of *liberty*, and especially of *self-government* and patriotism.

“But it is in proportion to her strength and resources that *Hungary is now called to exercise the most decisive influence on the whole policy of Austria*, and especially to act in her own interest, in order that the written and constitutional law may be truly and sincerely applied, so that henceforth, not only Hungary, but the whole empire, may be ruled in a constitutional spirit.”

Such is the importance of Hungary in the Austrian empire.

Is she oppressed? then all the other provinces are oppressed also.

Is she stirring? then all the others look towards her with hope.

And if she becomes free, all the others must necessarily become free with her.

SIXTH LETTER.

ALLOW me, sir, to return once more to the important question of nationality, for it is on that point our movement of 1848 is least understood in foreign countries. If it is indisputable that the general opinion of Europe was then altogether favourable to us, considering us as a people who, in accordance with the glorious traditions of our ancestors, were heroically struggling for liberty, it is also true that some few accused us of having oppressed other races, of having respected the grand principle of nationality only just when it suited our own interests ; in short, of having, as conquerors, set historical right above the right of nationality.

This accusation, at once false and odious,

invented and propagated by the Panslavists and Austria, met with no credit either in America or England; some few in Germany and Italy were inclined to believe it, but in France there were many who thought it true.

I might demonstrate the falseness of this assertion in two ways. First, by appealing to history, and laying before you the particular facts which, in the course of centuries, clearly explain the progress, natural, pacific, and continual, of the Hungarian element, without its ever having, by the way, prevented or obstructed the development of other nationalities. Secondly, I might prove it logically, by showing that the very spirit and nature of our constitution would render any such oppression altogether impossible.

As brevity is an indispensable characteristic of a letter, I have chosen the latter method, and I trust you will find it quite conclusive.

At the very earliest foundation of the Christian kingdom of Hungary, you see rising before you the majestic figure of St. Stephen, the first

king of Hungary, who not only became the apostle of the people he led, not only gave a liberal constitution to the country he had conquered, but at the same time, 1014, proclaimed the great principle of nationality, which ever since that remote period has been with us a rule most scrupulously followed. In a parainesis in which he recapitulates the paternal counsels that he gave to his son Prince Emeric, he says :—

“Unius linguæ, uniusque moris regnum imbecile et fragile est. . . . Quis Græcus regeret Latinos Græcis moribus, aut quis Latinus Græcos Latinis regeret moribus? Nullus.” (In English: A kingdom of only one language or custom is weak and unstable. What Greek would govern Latins according to Greek customs, or what Latin would govern Greeks according to Latin customs? No one.)

Such is the language used by the founder of our liberty, our religion, our state; and its meaning as to nationalities cannot be misunderstood. It is probable that, like a true states-

man, he only thought of the fact that many different races were settled in his kingdom; but at all events, his language raises the fact to the dignity of a great political principle. And, indeed, the practical application has perfectly corresponded with the theory, for I am acquainted with no other ancient constitution which gives so much liberty and latitude to diverse nationalities as does the Hungarian, which even invites nationalities to develop themselves.

To convince you of this, I have no occasion to enter into details; it will be sufficient to define the peculiar genius and distinctive character of our constitution. He who knows the seed can tell what the crop will be; and he who knows a principle may readily deduce its necessary consequences.

One of the features of our constitution was *union*, as opposed to the principle of uniformity. Whenever Hungary inclined towards the latter, and its natural corollary, centralization, she began to decline. Our *union* was purely politi-

cal, and was exclusively embodied in two institutions—the *Crown*, which represented the idea of sovereignty, and the *Diet*, which represented the rights of the nation. With us, kings were not sovereigns till they had been crowned, on which occasion they had to accept the constitutional conditions connected with that ceremony. It even happened that, when we had no king, all the rights and duties of sovereignty were always exercised in the name of the crown. Then, again, the mission of the Diet differed from that of the legislatures of other countries. It was more limited in some respects, and less in others. Its power, as compared with the king's, was greater, inasmuch as in certain specified cases it shared the executive and judicial power with him. But with regard to the provinces and the local autonomies, its power was much more restricted. For you must know that Hungary was composed of several provinces, having their several diets, in which the local affairs of each were discussed. It was only in the general diet that all the provinces and the

different races met together, and it was there only, in that point of *union*, free and *purely political*, that the *life of the State* as such was really perceptible.

Another distinctive feature, not less important, of our constitution was the respect of *individual rights*. With us the idea of the State did not exist in the antique or French sense of the word. The State did not, with us, absorb the individual ; on the contrary, it might be asserted that the right of the individual stood above the right of the State. I might cite many striking instances of the jealousy with which the liberty of the person was watched over in all the relations of social and political life. It was thought better to incur some danger for one's personal interests than to be too much circumscribed by laws. You must have noticed that Hungary, under the Hapsburgs, has almost ceased to exist as a nation of the European family, but at home, as a citizen, a Hungarian was as free as an Englishman. Until 1849, even Austria never dared to in-

fringe his personal liberty. The people have never with us allowed themselves to be absorbed by that monstrous and sterile idea of the State, which wants to be all in all. They have set above the State the rights of nations as races, and above these the personal rights of the individual.

A third peculiar characteristic feature of our constitution consisted in the universality, or rather *generality*, of its legal dispositions. That is a moral perfection, a political quality which raises our constitution above all those of the same epoch. Whilst other conquering nations made two codes, one for themselves, the other for the conquered, the Hungarians spontaneously gave a general character to their laws. In the middle ages, everywhere else, personal legislation prevailed; that is, the laws were different for different races; but the Hungarians adopted from the beginning *territorial* legislation, that is to say, all the inhabitants of the same kingdom were subject to the same laws, without any regard to nationality. History tells us that in

Spain, Italy, England, and nearly every country of Europe, there were within the same limits two populations under two different laws, to one of whom exclusively belonged all real property, high office, military rank; and in many cases intermarriages between the classes so separated were strictly forbidden though both were equally Christians. With such nations it may, therefore, be said that the laws, instead of being of a *general* nature, were in reality only private laws. In Hungary, on the contrary, all the inhabitants were amenable, the victors as well as the vanquished; and if at divers epochs, privileges of nobility separated them into castes, one thing is certain, that difference of origin or race had nothing to do with that classification.

But the most important characteristic of our constitution, as regards the free national development of each race, is our *municipal autonomy*. This institution, peculiar to Hungary, for we did not borrow it from any other country, is most perfect in its arrangements, considered with regard to its political importance. Has

every individual the means, leisure, or talents required to take part in affairs of State? Certainly not. Well, then, the great country dismembers itself, if we may so say, into a number of small countries, which may be called either counties or departments, and there all talent and activity, however unpretending, finds an opportunity of being useful. One might say, indeed, that the State, thus subdivided, goes from house to house, to every citizen, offering liberty of action, so that all may contribute to the public welfare without absenting themselves from home.

In fact, there is a vast difference between the old constitutions, styled historical, and the new ones, which might rather be called *nominal*. A constitution is really valuable only in so far as it confers actual, not illusory rights on the citizens and the nation. Ours gave us tangible rights, of which every citizen could and ought to avail himself. Their effects were felt even in the non-privileged classes. Our constitutional life was like the sun, whose warmth is felt from

afar; while the modern ones rather resemble the moon, which gives but a feeble light, and warms nobody. It is true they enounce grand principles, which are of no avail to the people, whereas our constitution, like your English constitution, is somewhat antiquated. There is little symmetry in its various parts, and each portion of the edifice bears the stamp of the epoch when it was added. As a whole, I admit it is not very fine, but it is useful, practical, national, satisfying all the requirements of free men. In short, while other constitutions dazzle people with grand but sterile principles, ours has given us substantial rights available for actual use.

If the sovereignty of the crown and the general legislation of the Diet form the basis of the *union* which makes Hungary a great state, the free municipal autonomy gives it, on the other hand, the character of a perfect *federation*. And who can deny that this federation is the form best adapted to a state inhabited by different nations? It would be very difficult to decide whether it was wise foresight or natural

instinct which led the Hungarians to adopt this marvellous organization. At all events, the fact is indisputable that it was the one best suited to the circumstances of the country, because it left each race the necessary freedom and space for its national development in proportion to its numbers, its vitality, and moral energy.

I will now endeavour to describe to you how naturally the communes and counties were formed amongst us. They are all of primitive and historical origin. You know the geographical conformation of Hungary, consequently you must be well aware that though there are small national fractions surrounded by great masses belonging to other races, yet it most frequently happens that each race is concentrated in the same part of the country. They are mostly *families* of the same origin which form the *commune*, and govern themselves in full liberty. A number of neighbouring communes, all of the same race, form a *county*, which administers its affairs with such extensive powers that it may almost be regarded as a state within

the state. Please to observe that in all county assemblies the electors were present in person, not by deputy; consequently each individual, no matter of what race, not only had an opportunity of defending his interests and his rights, expressing his opinions and principles, but also of making known his *national aspirations* and tendencies. Therefore, if the majority of communes belonged to a certain nationality, and if the majority wished to transact the business of the assembly in its own language, and give predominance to their national spirit, pray who could prevent it? No one, certainly. Again, suppose the majority of the counties had, by their deputies, demanded at the General Diet to replace the legislative and administrative language by the Wallak, the Slave, or the German language, was there any legal means of opposing it? I say there certainly was not. In fine, I can assure you, with a safe conscience, that for protecting or developing any nationality, however insignificant in point of numbers, no constitution in Europe offered so many guarantees

as our municipal autonomy (alike in communes, towns, and counties). Consequently, if neither race took advantage of it, the cause cannot be the absence of liberty, but of the will or energy to do so.

What I have above stated I will now recapitulate as follows :—

The origin of Hungary, it is true, was conquest, but in the course of centuries that principle has been replaced by *free union*. Whilst in all other instances the conquering nation and the conquered both sunk ere long under a despotism, with us, till 1849, conquerors and conquered shared together equal civil and political rights. All the inhabitants were children of the same country, all obeyed the same laws. The rights of the individual were not, with us, sacrificed to the idea, to the omnipotence of the State. On the contrary, our whole constitution chiefly aimed at guaranteeing the free action and rights of individuals. If there have been in Hungary epochs when political rights were not common to all, the enjoyment of such rights never de-

pended on considerations of origin, and no man was excluded from them on the ground of his belonging to this or that nationality. On the contrary, our municipal autonomy is the organization most in harmony with the principle of nationality. It is the precise form best adapted to allow of its free development. This municipal autonomy admits the groups of men and races as they come, and, preserving their primitive types unchanged, forms them into political bodies, communes, or towns, giving them the liberty, not only of self-government, but of living a *national* life; and then collects them into *counties*, nothing, absolutely nothing, does prevent their national life in that higher sphere from being developed in full liberty.

From all these considerations, I trust I shall be allowed to affirm that the principle, the nature even of our constitution, is not calculated for the oppression of non-Hungarian nationalities; but what is more, from its very essence our constitution even renders oppression absolutely impossible.

Should you object, that a good theory is often found wanting in practice, I should only have to enumerate historical facts to prove the agreement which has ever existed amongst us between the principle and its applications ; but that would require far more space than I have at my disposal here. I will therefore merely present a few observations.

In the first place, I confess that the *historical* superiority of the Hungarian race existed ; but it is necessary to define the exact value of the word. This *superiority* was *de facto*, not *de jura* ; it was not the laws, but history and usage alone which created it. The reason of this superiority may be found in divers real merits : it was the Hungarians who first conquered the country, who of several small and separate provinces formed a single state, who gave their name to the monarchy, and endowed the kingdom with a constitution. In short, they were the militant race, and, consequently, the aristocracy of the country. While the other races cultivated their land in peace and quietness, the

Hungarian race shed their blood as well when it was necessary to defend the country against the invasions of the Tartars, Mongols, and Turks, as when the despotism of the German element had to be resisted. You will admit that such a mission was difficult, full of perils, and called for great sacrifices. But is it wonderful that glory attended it, and that great moral influence and considerable political authority were its reward? Is it surprising that the name "Hungarian," which was at first applied to a race, should have subsequently become honorable and general to such a degree that the Croats in 1741 (see *Corpus Juris Hungarici*, 1741, Art. LXI.) demanded that a law should be passed for extending the name of "Hungarians" to them for the future?

But it is precisely from this superiority spontaneously recognized by the other races that I intend to draw a conclusive argument. That you may the better appreciate it, I add that previous to 1848 the nobles (very numerous with us) had alone the enjoyment of political

rights. The nobility, however, included persons belonging to all the races settled in Hungary. It is true that in this class the Hungarian spirit was predominant; but the laws had nothing to do with this, it was the traditional spirit of the body. It is, therefore, evident that our aristocratic organization was the base of the Hungarian element, and the surest means of developing it. Well, in 1848 we sacrificed this immense historical advantage in favour of *general liberty*; we relinquished our aristocratic power to the advantage of *democratic* principles, on which ground the Hungarian element, though still a majority as compared with each race taken separately, was a minority compared with all the other races united.

You see, then, that the Hungarian race, in 1848, spontaneously relinquished the advantageous position assigned to it, not by the laws, but by custom and universal consent; and, though fully aware that the aristocratic form was for its nationality an impregnable citadel, it willingly gave it up, and preferred risking, not

its preponderance or domination, but almost its existence, in order to establish the *popular liberty* of the whole mass of citizens.

Do you not think it very astonishing, sir, that in presence of this act, rather imprudent than magnanimous on our part, the other races should still lend an ear to the deceptive promises of Austria? Had they not already every necessary latitude for manifesting their national aspirations? Had they not recently obtained the utmost political liberty? Had they not seen that their brethren in the other *Austrian provinces* had been Germanized for centuries by the most violent means? I have, however, already explained, in a preceding letter, that a part of these races were forced into insurrection by Austria, and that the other, the truly national portion, aspired to a union with their brethren beyond the limits of the empire. Austria, forgetting that this tendency would lead ultimately to her own dismemberment, was blind enough to encourage it, whereas the whole Hungarian race, being within the kingdom, could never gravitate

towards any external point of attraction. This consideration ought to have shown Austria the double importance of the Hungarian element.

But I will even go farther. I will endeavour to resume the historical facts in a few propositions which I think irrefutable.

1. My first proposition is: That there never was any legal difference, in any respect whatever, between the Hungarians, as conquerors, and the aborigines of the country, whom they subdued. The Hungarian did not long look upon himself as a conqueror; the others soon had reason to forget that they had been conquered.

Never was it seen in Hungary, as at Rome, in France, and in England, where the Italians by the Romans, the Gauls by the Franks, the Anglo-Saxons by the Normans, were peremptorily excluded from all high offices and dignities. As early as St. Stephen, the highest dignities, military and ecclesiastic, were often held by families of foreign origin. We see in after times that men not of Hungarian blood were

named to the highest offices in the land: Belus (Palatine in 1272) was a Serb; Myze (Palatine in 1289) was a Bulgarian; Gara (Palatine in 1455) was a Croat; Stibor (Woiwode of Transylvania) was a Slavonian; Frangepan (Ban of Croatia) was an Italian; Cilley (Viceroy) was a German. Our kings made grants of land, and gave titles of nobility to citizens of merit without any regard to race or origin. Thus we see that the king, in 1224, conferred almost royal privileges on Zorian, Dobrogost, Vleham, Zladok, Vranko, Blaz, Fridrich, Damian, Vest, all names denoting Wallak, Slave, Croat, German, or Bulgarian families. That this equitable principle presided in the distribution of all privileges is fully proved by the state of things existing at the present day. It will be found, on examination, that in all the countries where the population is Hungarian the nobles also belong to that race; and where the people are Wallak or Slave, Croat or Serb, the nobility also belongs to the predominant race.

2. My second proposition is, that to the

provinces which were added to the state at a subsequent period, as well as to the colonies which afterwards immigrated into Hungary, *we gave more rights than we reserved for ourselves.*

Among the annexed provinces I will only cite Croatia as an example. Ever since the eleventh century Croatia has formed an integral part of Hungary. Besides participating in the advantages of our constitution, we consented that she should retain her own Diet: the inhabitants were exempted from lodging troops; they only paid half the amount of taxes; they were allowed to exclude all Protestants from their territory; their autonomy, more than municipal, for it was provincial, was scrupulously respected by us for eight centuries; we even endured, from love of concord, though with reluctance, their religious intolerance, their exclusive particularism,—parts of their constitution unfavourable to progress. Croatia thus formed a kind of *imperium in imperio*, and was perfectly master of her own affairs as a nation.

Did she create a literature? Nothing of the kind. The single little journal she possessed in 1846 only had 450 subscribers. A museum, a gallery of paintings, a scientific establishment of any kind having a national character? Not one. In its provincial Diet, in the assemblies of the counties, was the national language spoken? No, indeed; they spoke Latin; and it was precisely for this idiom, not their own, that they quarrelled with us some time before 1848.

Even in that memorable year of radical reforms, we showed an excess of delicacy in not touching their provincial constitutions. On the contrary, the new Hungarian government considerably increased the influence of the Croats; for up to that time the votes of Croatia, compared with those of the whole kingdom, were as 1 to 57; but owing to the changes made in 1848, the proportion became as 1 to 12. And whilst the present Austrian government corresponds with them in German, the Hungarian government of 1848 authorized them to carry on all correspondence in the Croat language.

Of the different foreign colonies which, during the course of centuries, immigrated into Hungary, I will not speak here, nor of the Ruthenes, who, about 1430, under Koriátovich, settled at the foot of the Carpathians; nor of the German colonies, which, in 1160 and 1547, settled in the mine districts; nor of the Serbs, who, from 1428 to 1690, when pursued by the Turks, took refuge in the Banat. The number of these three races at present amounts to about 2,000,000. I will only remark that, as fugitives, they all found a home in Hungary; as Christians, religious liberty; as exiles, land to cultivate; and all this without any detriment to their national character; for in that respect all these races are just the same to-day as they were when they first came to Hungary.

Moreover, to some of these colonies we granted peculiar privileges in addition to the rights our constitution conferred. This was the case with Kun (Cumain) and the Jász (Jazygi), who came between 1080 and 1470; with the Saxons of Szepes, who arrived about 1260; the

Flemings, who, about 1140, obtained a whole district in Transylvania. Well, all these provinces have retained their privileges entire under the Hungarian constitution. We allowed them to form so many petty states in the great state. The nationality of these races till 1848 was as pure as when they first entered Hungary. They governed themselves freely, they adhered to their own laws, manners, customs, and languages; they bore a smaller share of the public burdens than we ourselves; they chose their own magistrates exclusively among their own people; and, what is more, whilst the whole country was open to them, and they could settle anywhere, establish themselves in business, and be appointed to public offices, the Hungarian was excluded from their territory and could hold no public office among them.

Would you believe, sir, that there was a time when at *Buda*, the capital of Hungary, a Hungarian could not be a member of the municipal council? Would you believe that there was a law which forbade the Hungarians to

reside in certain towns in the mine districts? It is almost incredible, but nevertheless a fact, as shown by Article XIII. of 1608, and Article XXXIV. of 1655.

Search the annals of the whole world, and I defy you to find any parallel circumstance, in which generosity is carried to the extent of imprudence, even to the neglect of what one owes to one's self. The Hungarians not only did not make political rights depend on considerations of race, but they, the conquerors, granted other races whole provinces and towns from which they excluded themselves, whereas they never made any reserves in their own favour, never excluded any of the other races from the towns and countries themselves inhabited.

3. In the third place I affirm that wherever two hostile principles exist in any society, a struggle must necessarily ensue between them. Thus, at the time when our kingdom was founded, there was a struggle going on between Paganism and Christianity; afterwards between

the peasants and the privileged classes, and subsequently between Catholicism and Protestantism: all these antagonisms did, indeed, provoke bloody struggles, which always terminated either in the victory of one of the parties, or in a treaty making mutual concessions. But in all our history we do not find either a war or a revolution arising from national hatred or the oppression of a race; whence we may fairly conclude, that if such revolutions never occurred it must be because there was no reason for them.

This truth is confirmed by a very important testimony, all the more convincing, because it is negative. I allude to our ancient annalists, who, from age to age, drew up contemporary chronicles, which now supply us with rich stores of historical information. These annalists belong to all the different races, Slave, German, Slovak, and Croat. Well, in their writings we find nothing indicating any trace of national hatred against the Hungarians; they complain of no oppression; they do not accuse us of arro-

gating any superiority; they generally breathe the purest spirit of patriotism towards the common country. Is not this significant silence of non-Hungarian writers, through a succession of centuries, the most valuable testimony that can be offered in favour of our liberal policy?

The Croats especially must be very well aware that their liberty as well as their nationality were only secure under the ægis of our constitution. Austria has already tried three times during the sixteenth and seventeenth centuries, and in 1815, after the fall of Napoleon and his kingdom of Illyria, to incorporate Croatia: but the latter always appealed to the Hungarian Diet to deliver it from that danger; and when the legitimate reunion with Hungary was realized in 1824, the whole country made it an occasion of public rejoicing. As a token of their gratitude, the Croats accepted whatever was Hungarian—fashions, costumes, colours, songs, proper names. The young men even felt offended if they were not called Hungarians,

and the Electors gave their deputies, in 1825 and 1830, the following instructions concerning the language. I quote the text: "Since the Hungarians wish to decree that the official language of the general government shall be the Hungarian, and as we, Croats, are inspired with the same zeal, and wish to possess all the necessary means to learn that language, we instruct our deputies to propose an express law for the purpose of introducing the general study of the Hungarian language in our schools, and for providing the necessary means."

4. I have told you above that the principle of nationality was the fundamental and primitive basis of our constitution, as drawn up by St. Stephen, our first king; here I have only to show you its results, for a tree is known by its fruits.

I will begin by asking you in what European country, except Greece, the Greek clergy have ever had any share in the legislature of a free people? Nowhere, but in Hungary. But to appreciate the value of this argument, you must

know that all the followers of that church are either Slaves or Wallaks.

Was not Greek the official language in Moldavia and Wallachia till 1837, and was not the national language falling into desuetude when the signal for revival was given by some learned Wallachians, citizens of free Transylvania? Thence came the stimulus which led to a political and literary revival in the Danubian principalities, and which most contributed to the patriotic attempt of Vladimiresco.*

Was it not M. Kollar, the Slave preacher of Pesth, and M. Schaffarick, the Slave professor of Újvidek, who, under the ægis of the Hungarian constitution dared to proclaim the grand

* M. Desprez, though hostile to us, acknowledges this in his work, entitled 'Les Peuples de l'Autriche et de la Turquie.' Paris, 1850, tom. i., p. 121. M. Gay himself has also acknowledged this fact, having given his fellow-countrymen the following advice: "One point is most essential for the Croats, and that is to defend the Hungarian constitution as heroically as the Hungarians themselves can; for *Illyrian national liberty* can only be guaranteed and developed *under the wings of Hungarian liberty*."—See 'Geschichte des Illyriismus von Wachsmuth,' Leipzig, 1849, p. 54.

idea of Panslavism at a moment when the whole Slave race was elsewhere bowed down under the yoke of despotism? You therefore perceive that free Hungary was the birthplace of Panslavism.

Where could M. Gay, except under the shelter of the Hungarian constitution, have developed his colossal project of a great Illyria, which he proposed to form by the dismemberment of four important states? Since free Hungary no longer exists, not only is it not permitted to speak of the great Slavonic Illyria, but it is even forbidden to think of it.

In a word, it must be admitted that the Wallaks were everywhere in slavery, except in Hungary; that before the incomplete independence of Servia, all the Serbs, but those in Hungary, were serfs; that the Slavonic race was everywhere civilly and morally oppressed in Austria, Turkey, and Russia; they were only free in Hungary.

The idea of Rouman, Illyrian, and Slave unity, all those ardent aspirations, after great

national conceptions, began to germinate in the genial warmth and free atmosphere of our constitutional liberty.

Is it not astonishing, then, that, notwithstanding the great latitude which our constitution offered for the development of all nationalities, Austria still succeeded in 1848 in provoking a civil war in the name of the principle of nationalities—a principle which she has never recognized anywhere, and which we have always religiously respected? But that is not all. She also succeeded in lowering us in the public opinion of Europe by her calumnies: instead of being praised, as was our due, we have been unjustly accused. It is time justice should be done. Europe must know that if the Hungarians are political martyrs, that fate has befallen them solely because they struggled for the two great principles, *nationality* and *liberty*.

You may easily conceive that this civil war, this struggle of races, has left some very melancholy souvenirs among the inhabitants of Hun-

gary. The exceeding ferocity with which the war was waged must weigh heavily on the consciences of all the races, all the more from the reflection that there was really no ground or cause for quarrel between them. Knowing this, I confess that I thought a long interval must elapse before there could be a reasonable hope of any reconciliation—such miraculous unanimity as we have now the happiness to witness. It appeared to me almost a psychological impossibility that any tendency to union could soon spring up between populations, who, on the one hand, were deterred by a sense of shame for their errors, and, on the other, by a feeling of resentment at having met with such an ill return for all their patriotic sacrifices. In fact, the Hungarians, as well as the other nations, hesitated some time before they made the first advances to reconciliation. It is true that under the Austrian despotism they could neither write nor speak freely. But it is my opinion that both sides were too backward in acting: free and cordial forgiveness would have been as

honourable on the part of the Hungarians, as a frank avowal of their error on the part of the other races.

At all events, a right moral feeling existed in their hearts. The rest Austria involuntarily brought about by her despotic system, her religious intolerance, her anti-national tendencies, her centralizing principles, so completely opposed to our historical traditions, and by her overwhelming taxation, which was rapidly conducting the empire to the inevitable abyss of bankruptcy.

The populations of Hungary, in the midst of their slavery, privations, and persecutions of every kind, having had leisure to meditate the past, have seen the part which the Hungarian race has played in the history of the country, and are now again fully convinced that this race is destined to lead them on to the recovery of what they have lost.

In fact, what does history teach them?

That the Hungarian is the conquering race. Before its arrival the kingdom had no existence.

The Hungarians formed it of several provinces and states ; gave it that organization, that political existence, under which it was diplomatically recognized in Europe. Where is the dynasty that can boast of an anterior right ? Where the people even ? The period which preceded our conquest was a perfect chaos.

The Hungarian race alone organized and maintained the State. They not only conquered the country, but what is more difficult, they created a State ; and so great a State, that in the eleventh, twelfth, and thirteenth centuries, there was scarcely another in Europe that would bear comparison with it, and there certainly was not one in the fourteenth century, when its frontiers were bathed by the waters of three seas. Besides, it was the Hungarian race which, at different epochs, peopled the land with new colonies, so that half its present population are the descendants of those thus introduced.

The Hungarian race founded religious liberty in Hungary. Even before the Reformation,

the Hungarian Catholic Church, with respect to Rome, was the most independent in Europe. After the Reformation, it was the Hungarian race who, on four several occasions, boldly took arms in defence of liberty of conscience, and secured it against their own kings, by four successive treaties. Again, can Europe have forgotten that for three centuries Hungary was the rampart which defended all Christendom against the savage hordes of Islamism?

The Hungarian race transplanted constitutional life from Asia into Hungary. Their admirable constitution was twice consigned to parchment—in 1001, under St. Stephen, and in 1222, with the denomination of the “Golden Bull,” under Andrew II. It was this race who generously gave the vanquished an equal share in their liberty, and they also have the signal honour of having constantly defended it against the encroachments of the Hapsburgs. They have been the foremost to shed their blood for the common cause, and in consequence they have not numerically increased in the same



proportions as the other races. Their most illustrious families have successively become extinct on the battle-field, and to replace the dead fresh colonies were invited to settle in the country. In 1848, it was the Hungarian race who frankly relinquished the aristocratic principle of the constitution, though most favourable to their own interests, and adopted in its stead the democratic principle of equality. What is more, the Hungarian race has ever laboured to propagate constitutional ideas among neighbouring nations. The old constitution of Poland was copied from the Hungarian in all its most essential parts.

Finally, the other races of Hungary are aware, as everybody may see, that if, on the one hand, the Hungarian people be less advanced in the path of progress as to the arts and sciences, it is attributable to the fact that, for three centuries, Hungary was the military outpost of Europe against eastern barbarians, and for three later centuries has been engaged in unceasing struggles against the Austrian policy :

on the other hand, where is there a nation, so few in number, which has conquered, founded, and organized so great a State? Where a people in Europe who have better fulfilled their political mission? Where a people who for ten centuries maintained their liberty by always gallantly fighting in its defence, if any one wished to take it from them? Where a people, in fine, who, while retaining their own liberty and nationality, equally respected those of others?

If Austria has dared to accuse us of oppressing other races, our whole history abundantly proves the falseness of the charge.

Alas! how often do we see in the annals of nations great falsehoods, when boldly advanced as truths, for a time deceive the world! This was the use Austria made of the principle of nationality; but it is our duty to unmask the evil genius which has here assumed the figure of an angel of light. Has not Austria in this particular played the part of a pirate who hoists a friendly flag in order to carry on his criminal

pursuit under its shelter? Down with the deceitful colours! Let Austria show her real flag, yellow and black, the well-chosen emblem of her murderous system—colours which can only signify the death of nations, the destruction of their political and national liberties!

SEVENTH LETTER.

You ask me, what Hungary wants ?

To this question I answer:—

She wants, in general, all that a nation, conscious of its dignity and worth, has the right, and is in duty bound to require. She wants, in particular, that liberty and those political institutions which are hers in virtue of ancient laws, in virtue of special and solemn treaties, consecrating the conditions under which she offered the sovereignty to the dynasty, and which on its side, accepted, signed, and promised on oath to observe faithfully; consequently, between the nation and the dynasty here was a synallagmatic contract, which could not be annulled by either of the parties, without also liberating the other from its obligations.

Perhaps you would like to know the nature and conditions of this pact, which was the legal and sole basis of the union binding Hungary to the House of Hapsburg.

Ferdinand I. was the first Hungarian sovereign of the House of Hapsburg. He ascended the throne in 1526, not as a conqueror, but in consequence of the free choice of the nation, as did also his successors, Maximilian, Rodolph I., Mathias II., Ferdinand II., III., and IV. It was not till Leopold I., in 1687, that the crown of Hungary became hereditary in the dynasty pursuant to a law voted by the Diet: and by another law voted in 1723, and called the *Pragmatic Sanction*, the succession was extended to the female descendants of the Hapsburgs.

There were four kinds of guarantees by which Hungary thought it necessary to secure her liberties and independence, as against the dynasty.

The *first* of these guarantees was the royal oath.

At the king's coronation it was not the nation

who took an oath of fealty, but it was the sovereign who swore to observe the constitution. The oath was couched in the following terms:—

“We swear by the living God, the Holy Mother of God, the Virgin Mary, and by all the saints, that we will maintain the Church of God, the prelates, the barons, the nobles, the free towns, and all the inhabitants of the kingdom in their liberties, immunities, rights, and franchises, their hereditary estates and their established customs; that we will do justice to everybody, that we will maintain the decree of King Andrew, of happy memory; that we will never alienate, or *diminish the territory* of our kingdom of Hungary, nor what rightly belongs to it by any title whatever; but, on the contrary, we will strive to increase and extend it by all the means in our power; and that we will do for the public good and the glory and happiness of the States, and of all Hungary, whatever we can justly and equitably do. So help us God, and all the saints and elect of the Lord.”

The *second* guarantee of our constitution, no less important, was the *diploma of coronation*.

From Ferdinand II. (1682) down to our own times, not one of our kings was crowned before he had delivered a diploma, bearing his great seal and signature, which might be regarded as a pact personally concluded with the nation. The following are its principal points.

1. That the king shall maintain in full vigour all the laws and all the rights of the kingdom, as well as the pacts concluded between him and the nation.

2. That public affairs shall be decided solely by the Diet; that none but Hungarians shall take any part in the government of the country, or be named officers or commanders in the Hungarian army.

3. That no Hungarian citizen shall be tried by other judges than those constituted by the laws, and that no Hungarian shall ever be compelled to appear before any tribunal whatever sitting beyond the limits of the kingdom.

4. That the king shall always maintain inviolable the integrity of the territory of the State.

5. That he shall observe the laws by which he is forbidden to bring *any foreign army* into the kingdom [as he did the Russians in 1849], or to declare any war or conclude any treaty of peace without the previous consent of the Diet.

6. It is further stipulated by the last article that all the successors of the king shall sign a similar diploma before they can be crowned.

The *third* guarantee of our independence consisted in several *treaties of peace* concluded between the reigning dynasty and the nation.

During the three centuries (1526-1848) which followed the accession of the Hapsburgs to the crown of Hungary, the nation was several times compelled to take arms for the defence of its existence and its constitution, and never till our own days (in 1849) did the Hapsburgs succeed in pacifying Hungary otherwise than by negotiating. All the insurrections therefore ended in treaties of peace, such as those of Vienna in 1606, of Nicolsburg in 1622, of Posony in 1628, of Lintz in 1645, and of Szathmár-Németi in 1711.

The belligerent parties, the nation and the dynasty, were always two independent powers negotiating together.

History offers few instances of such treaties between a people and its sovereign.

And there is no nation whose history contains so many instances as ours.

All our rights were guaranteed by each of these treaties : they were so many ramparts against encroachments of absolute power.

By such means as these Hungary always strove to avoid revolutions.

The kings of France, during the seventeenth and eighteenth centuries, figure on many pages of the history of our wars of independence, sometimes as allies, sometimes as mediators. Several of our treaties with the Austrian dynasty were concluded under the influence and guarantee of France, England, Sweden, and Holland—a fact which must give a European importance to the question raised between the Hapsburgs and Hungary and which, in 1849, encouraged us to hope that Europe would, as she was bound to

do, prevent the Russian intervention in Hungary from taking place.

The *fourth* guarantee of our institution existed in our laws generally (*Corpus Juris*).

There certainly does not exist any nation whose codes contain so many constitutional guarantees.

I will instance only a few of them.

1. By Article IV., of the year 1687, it is solemnly declared that the king and his heirs are indispensably engaged to maintain the states-general of the country in all their rights, liberties, and franchises.

2. Article III., of the year 1715, says: "That the king shall only govern according to existing laws, or according to those which shall be thereafter made and voted by the Diet;" that, consequently, Hungary shall never be governed on the same system established in other countries under the same dynasty, and that Hungary shall never undergo any diminution of territory.

3. Article XI., of the year 1741, ordains—

that everything concerning Hungary shall be discussed, decided, and executed by Hungarians only (that is, natives of the country), both at court and in the council.

4. By several laws passed in 1790, it is expressly stipulated—

That the Diets shall be regularly and freely convoked ;

That the legislative power, composed of the sovereign and the nation conjointly, has alone the right to make, interpret, and abrogate laws, and that this form of legislation shall be maintained and respected by the king, and for ever transmitted from father to son without change ;

That the kingdom shall never be governed by royal ordinances, and that the king shall not arbitrarily introduce any change relative to the administration, especially in the administration of justice, and that if he attempted to do so, *the tribunals would not be bound to obey his orders* ;

That notwithstanding the change introduced, relative to the succession, by the *Pragmatic Sanction* (1783), Hungary remains a free and

independent kingdom as to the form and system of its government, that it shall never be made subordinate to any other country, and shall invariably retain its constitution, and be governed by kings *legally* crowned, in accordance with its *own laws and customs*, and not after the manner of the other countries subject to the same dynasty ;

That it is strictly obligatory for the king to be crowned before the expiration of six months after his accession (I may here observe that the coronation implies the signing of the diploma and taking the oath to the constitution as above stated), and that all the privileges and rights emanating from a king who has not been crowned are null and void in law.

When the Hapsburgs took the title of Emperor of Austria, the change made no difference in our relations with them nor with the other states. It will be sufficient to quote on this subject a passage from the manifesto of Francis I., dated 15th of August, 1804, in which, after announcing his new title, he makes, before

the whole world, the following declaration on our account:—

“That our kingdoms, principalities, and provinces shall invariably retain their titles, *constitutions*, and prerogatives, as they at present exist; *that this is especially the case with our kingdom of Hungary*; as to the coronations that have been celebrated for ourselves and our predecessors as *kings of Hungary*, it shall always be invariably the same as in times past.”

But you may ask me here if the position of Hungary, with regard to its dynasty, has not been totally changed by the events of 1848 and 1849?

That question appears superfluous, but I will not avoid it, as a few lines will suffice to answer. I therefore say—

1. That the *reforms* which took place in Hungary in 1848 were not the result of revolutionary measures, but were adopted and introduced in the most legal manner, discussed and voted by the two Chambers, accepted and sanctioned by the King Ferdinand V. That sovereign went of his own accord to Posony

(Presburg), where the two Chambers sat, to sanction in person the laws he had accepted while still at Vienna, when order and tranquillity prevailed throughout Hungary.

2. That, although the laws of 1848 changed the denominations of certain public functions, they did not in any way affect the relations of Hungary with the dynasty, and they were only the simple confirmation of our rights, guaranteed already by laws which had been long in existence.

3. That Hungary did not have recourse to arms till the king had already caused her territory to be invaded by a general provided with secret instructions, and not before the said general had arrived within a few leagues of the capital of Hungary, where the Diet was sitting, which had been convoked by the king himself.

4. That even on the invasion of Hungary by a second army, in December, 1848, the Diet, then sitting at Pesth, sent messengers of peace to the general-in-chief of the Austrian army, who not only refused to receive them,

but had them arrested, and one of them was shot some time afterwards.

5. Lastly, that Hungary never asked for more than the maintenance of what had been confirmed, guaranteed, and sworn by the dynasty, and that the latter made war on us to overthrow our ancient constitution and annihilate our national independence.

What did we defend? The peace and the existing laws. Who began the war? The dynasty, certainly. The dynasty revolted against legality, and must therefore bear the reproach of having taken up revolutionary ground in 1848.

Were it true, as the dynasty asserted in its proclamations addressed to Europe, that it was only making war on a party, a small minority, why was the whole nation punished by being deprived of all its rights and liberties?

A dilemma here presents itself from which the dynasty cannot escape. Either it was desirous of re-establishing peace and right, and in that case it would have had nothing to change

in our legal constitution; or it assumed the character of a conqueror, and, if so, the heroic resistance which it provoked was perfectly legitimate and justifiable.

This last horn of the dilemma presents the truth, if we may judge by the subsequent acts of the dynasty; if Hungary resolved to oppose violence with force, it was the dynasty that compelled her so to do; if the latter abandoned the ground of *right*, and took up that of brute force, or in other words that of insurrection, on that ground the people must necessarily come off victorious.

With respect to the divine or natural law, there is a perfect analogy between the Italian, Polish, and Hungarian questions, inasmuch as the three nations desire to change what exists *de facto*, and aspire to national liberty and independence: but there is a great difference between their positions as regards *human law*; for, whilst the Italians and Poles have against them international treaties which ought to be first annulled,—since they demand an existence which requires the

sanction of the law of nations,—we Hungarians belong to Austria solely by reason of our act and deed, as we freely made our conditions with the dynasty, and the dynasty freely accepted them. We therefore merely ask for the observance of the historical rights on which our constitution was based nine centuries ago; we ask for the faithful execution of the *pacta conventa*, which in our case have never been replaced by other pacts, and the strict observance of which on both sides is the only means of permanently settling and fixing the relations between Hungary as a kingdom and Austria as an empire; not only so as to satisfy the rights of both states, but also to the advantage of their material interests.

Hungary has therefore in her favour not only the divine or natural law, but also the written or human law; both the spirit and letter of the pact are in her favour: in fine, she only aims at preserving what is legally established, whereas Austria wants to overthrow everything which exists *de jure*.

I ask you, sir, whether it would not be a

moral and legal scandal if two individuals having entered into a contract on any matter whatever, one of them should pretend to escape from his engagements by simply tearing up the paper? Can what is forbidden in private contracts, which concern only individual interests, be permitted in international conventions affecting the welfare, the existence, the happiness of nations? It was neither more nor less than the validity of a synallagmatic and diplomatic contract which Hungary defended in arms in 1848-49, whereas the dynasty wanted to release itself, by its own sole authority, from the conditions it had solemnly accepted.

Is it by acting thus, in opposition to all the principles of morality and justice, that sovereigns can teach their people to respect authority and the laws? Are there two kinds of justice and morality, one for sovereigns, the other for their subjects? Have monarchs any right to complain if their subjects follow their own evil example, according to the old adage:—

Regis ad exemplum totus componitur orbis?

This historical sketch will give you, I trust, some faint notion of the general character of our constitution, which, though never very scrupulously observed by the dynasty, as it was found to embarrass and limit its action in dealing with foreign powers, secured to us internally the most perfect liberty and national self-government.

The legislative power was vested in the king and the two Chambers, the upper one composed of hereditary peers, the lower of deputies elected for each session, and revocable by their constituents if the latter had reason to be dissatisfied with their votes. This was the *Diet*, without whose consent the king could neither impose taxes nor raise recruits. Without the sanction of the Diet, he could not even declare war, nor conclude peace.

What is more, the executive power was equally divided between the sovereign and the nation, inasmuch as the former could carry nothing into execution except by the competent jurisdiction (county or department), which acted

by its *assembly* composed of all the electors residing within its limits. This *assembly* was the principal organ of our municipal self-government. It elected the deputies for each session, and all the *municipal officers* for one or three years; the deputies as well as the officers were bound to give an account of their conduct at the expiration of their functions. The assembly had power to suspend, revoke, or punish them, if necessary. The administrative decrees of the king were always addressed to this assembly, which instructed its officers to enforce them if in conformity with the laws, or if they were deemed illegal, it immediately presented a remonstrance to the sovereign.

This assembly, which met at least four times a year, had a right to discuss the general affairs of the country, and corresponded freely, not only with its deputies during the session of the Diet, but with other assemblies also. Every question of general interest was therefore fully discussed and examined by the different jurisdictions or counties of the country before it came

under debate in the Diet for the purpose of legislating upon it.

But this assembly had a liberty of action almost unlimited, especially for its own affairs. Besides its right of electing the deputies to the Diet and its own local officers, from the prefect to the lowest bailiff, who all received their salaries from what was called the *domestic* budget, all the administration, even the courts of justice, were concentrated in its hands; and, having a budget of its own, it made and repaired roads, bridges, and other works of public utility. It also had charge of the public peace, superintended the administration of the communes, regulated the discipline of the prisons, controlled the accounts of its officers, and sometimes, impelled by the spirit of patriotism or an honourable rivalry with other jurisdictions, founded asylums, hospitals, libraries, and other public institutions. It could even pass local laws obligatory for the persons within its limits, but with the important proviso that they must never be contrary to the general laws of the

land. I need not call your attention to the wide field here opened for the individual activity of the citizens—how every county rivalled with its neighbours in the good administration of its *little country*, offering sufficient occupation for all its citizens, who had no occasion to seek elsewhere an opening for their enterprise and talents.

Such was our municipal self-government. It was at the same time the vital principle of our constitution, and its best bulwark. To attack at once one hundred and sixty assemblies, in which thousands of electors were legally met together, was no easy task ; to vanquish them would have been impossible without the Russians. Each county, thus organized, was a small republic, carefully retaining for itself some few really sovereign rights. At all events, this self-government, having undoubted rights, and actually exercising them, must be regarded as the constitution best calculated to give men an interest in public affairs, to accustom them to business, to arouse their patriotism and legiti-

mate ambition by affording them constant opportunities of action, and to develop individualities strong in sentiment and ready in action.*

I will not enter into further details respecting our constitutional rights; I will not dwell any longer on the happiness and success with which we practised them; I will not explain how with us liberty and order reigned in beautiful harmony;—let it suffice to tell you that the same liberal spirit which prevailed in our political institutions, also inspired our social and national life.

If conspiracies were unknown among the Hungarians, it was because they were accustomed, owing to their free discussion, to speak frankly and openly whatever they thought;

* I have read with much pleasure several excellent articles by M. Elias Regnault, on decentralization, which appeared in the *Courrier du Dimanche*, a very rising paper. The writer seeks types for the organization of regions. Our municipal system would supply him with a better model than the Swiss Cantons or the United States of North America. Nine centuries attest the durability, practical value, and excellence of our municipal self-government.

also because they abhorred a secret police, and its necessary accompaniment, the spy system, the misfortune and disgrace of many civilized nations.

If the Hungarians preferred uncontrolled circulation and the most absolute freedom of locomotion to the vexatious passport system, it was because they liked unrestricted liberty, attended with some trifling inconvenience, better than strict order obtained by a multitude of obnoxious regulations.

If the Hungarians neglected to raise a revenue by entrance-dues, stamp-duty, monopolies, and other fiscal expedients of the same nature, it was neither because they had no public debt, nor because the municipal administration involved little expense, good patriots having undertaken to perform all official duties gratis—it was because they detested all imposts which could only be collected by means of toll-gates, and harassing regulations which greatly interfere with individual liberty.

If the Hungarians separated themselves from

the Austrian provinces by a customs' barrier, to the injury of their own commerce, it was because they desired to guarantee themselves by every possible means against the arbitrary system which prevailed there, declining *all the advantages* of the wealth to be obtained by trade, rather than risk *their liberty*, which was best secured by this isolation.

If the Hungarians held dear the right of association without having to ask permission of the central government, and if by this freedom of action they founded museums, scientific and literary societies, clubs, agricultural societies, and other associations calculated to develop and promote the moral and material interests of the country, it was because they regarded that liberty as a mere extension of the right which every citizen has to attend to his own affairs; it was because they thought such activity the best means of interesting everybody in public affairs, and of awakening and cherishing in every bosom a spirit of patriotism and devotedness to the commonweal, the greatest of civic virtues.

All their institutions had one and the same end—to preserve their liberty; to keep the government of their country exclusively in their own hands; to conduct the administration themselves in every parish, town, and district, and to manage all affairs of national interest in the diet, in common with their sovereign.

Well, all these liberties, all this activity of self-government, all these constitutional rights, were abolished at one stroke. In Austria there is only one human being, I do not say, who *thinks* but who *wills*: Francis Joseph alone; and to execute his will he has two arms, one is the *bureaucracy*, a pacific instrument; the other the army, a violent instrument. Such is the Austria of the present day, she does not live in her people; she lives solely in her government, and, like Turkey, in her army: the state of siege is her normal condition. But Francis Joseph is grievously mistaken if he fancies that Hungary can always be kept in this degraded state. How can he think that a nation accustomed to self-government will thus submit to complete in-

activity? How imagine that a people long accustomed to unrestricted freedom of speech will submit to absolute mutism? How dream that a nation whose political axiom from time immemorial has been "*Nihil de nobis sine nobis*" will patiently allow foreigners to have the perpetual disposal of its fortunes, its blood, its very existence?

During the last ten years a moral change of the utmost importance has taken place in Hungary. If the monarchical principle survived before 1849, at least partially, among the population of Hungary, it has well-nigh disappeared at present. The monarch has sapped the foundations of his power with his own hands. The aristocracy themselves now look upon the dynasty as the sole cause of the woes of their country. No one longer hopes in the reigning house; on the contrary, everybody looks forward to a change in the dynasty as the sole means of saving the country. In fact, that is now the universal wish in Hungary.

At all events, you may rest assured, sir, that

henceforth vague promises, half-measures, partial concessions, will not satisfy Hungary. The changes she will require are as follows:—

1. The restitution of her ancient historical limits, which all her kings have sworn to maintain and defend. This is likewise the unanimous wish of Croatia, Transylvania, the Woiwodina, and the Military Frontiers, which have all been violently detached from the mother country.

2. The re-establishment of her old constitution, according to which the legislative power resides in the sovereign and the nation conjointly, the latter acting by means of two chambers, one hereditary, the other elective.

3. The restoration of her municipal autonomy, the most essential part of her constitution, as it supplies the best bulwark against the encroachments of the central government, gives her the faculty and capacity for self-government, and is the best school for training a constant succession of *public men*.

4. The re-acknowledgment of all the laws

and treaties which secured the political and national independence of the kingdom ; civil and political equality (proclaimed in 1848), as also the right of association for all the inhabitants ; the voting of the budget and fixing the number of recruits by the Diet—in short, the most complete participation in all the internal and external affairs of the kingdom.

5. Lastly, the maintenance of the Pragmatic Sanction, that is to say, dynastic union with the Austrian provinces, but *only on condition that they shall have a constitution* ; for it is impossible to imagine a perfect and durable union between states, some of which are governed constitutionally, others despotically. Hungary does not aspire to any exceptional position : what she asks for herself, she also asks for the other provinces.

Nothing can be easier than to effect this change of system. It would only be necessary :

1. That Francis Joseph should cancel all he has done during the last ten years, from 1849 to 1859, as that great sovereign, Joseph II., cancelled with sublime courage all he had done

between 1780 and 1790. The wounded self-love of Francis Joseph must give way to higher considerations: the points at issue are the existence of an empire, as regards Europe; the restoration of liberty and nationality, as regards Hungary; and the continuance of his dynasty, as regards himself.

2. He must name, provisionally, a Palatine, as constitutional head of the state when the king is absent from the kingdom.

3. He must convoke the Diet, in accordance with the electoral laws of 1848, which shall act as a *constituent assembly*, the relations of Hungary with the other provinces necessarily requiring modification, as they too would be constitutional states.

4. He must enter upon and follow up this constitutional and progressive policy sincerely, frankly, and without reserve. The more reasons nations have to mistrust a dynasty, the more difficult it is to gain their confidence, and that is certainly the only basis on which a new and powerful Austria can be founded.

Such are the sole means of giving new life to Austria. If adopted, the diversity of races, which is now her weakness, would become her strength. It would be a powerful federation of free nations under one sovereign ; she would be strong in herself, and her existence would no longer depend on the good pleasure of her neighbours. Despotism has brought Austria tottering to the brink of a precipice ; liberty and respect of nationalities would render her powerful.

To Hungary especially falls the mission of forcing the dynasty to enter upon this path of safety ; but in this great enterprise on whom must she fix her hopes ?

I confess, sir, that as yet I see no foreign power seems likely to render us any effective aid. From my exile, I can therefore only exclaim to my nation—"Heaven helps those who help themselves !"

"During the ten long centuries that you have occupied that fair country, you have seen it invaded by savage hordes of Mongols ; you

struggled against the Ottomans, then all powerful, for nearly two hundred years; and for a hundred and fifty years you lay under their yoke. Well, you have passed through all these trials, and after each stood forth greater and more brilliant than before!"

Is anything to be hoped from Russia? It is true that she hates Austria, and perhaps may feel some little inclination to glut her vengeance. But she does not like us. She cannot be disposed to lend us aid, for she is despotism incarnate, and our liberty dates from our earliest days—from our cradle.

Can you expect anything from Prussia. It would be an illusion; nay more, an idle dream. You would look in vain to that nation for the genius and spirit of Frederick the Great; they have long since disappeared. Prussia detests Austria, her rival; but twice already has she shrunk from seizing a favourable occasion to eliminate that empire from the Germanic Confederation.

Cannot Prussia see that her position in the

Germanic Confederation, with regard to Austria, is absolutely *identical* with that which *Piedmont* occupied and still occupies in Italy towards the same power? The expulsion of Austria from the Germanic Confederation would even be a benefit to Austria herself. Being supreme in Germany and Italy, she thought only of conquest; confined within her own borders, she would perhaps think of the happiness of her people.

The English government and people certainly sympathize with us as a constitutional nation, as influenced by a Protestant spirit, as having a political organization the most decentralized and the freest municipal autonomy; but did they protest in 1849 against the intervention of Russia? Did they prevent it, though non-intervention is a favourite principle of theirs? England is, no doubt, very powerful; her enemies know it, but her friends gain little by it.

France, having within the last six years restored independence to the Danubian Principalities and Lombardy, might perhaps inspire

much more hope; but would she? Is it some other interest that impels her, or the principle of nationality, which she inscribed on her flag? In any case, I have not seen the word *liberty* thereon, and the Hungarians are not only anxious to be a *nation*, but a *free nation*. God grant that Napoleon III. may comprehend his true mission! His uncle relied on sovereigns, his personal enemies, and fell accordingly. If Napoleon III. relies upon the people, and defends their nationalities and liberties, he will thereby become the sovereign master and arbiter of Europe, not by the divine right, but by the universal will of nations.

I can easily conceive that Hungary looks with eager eyes towards the Congress that is soon to meet. Perhaps it would be wise not to give way to illusions in that quarter, which might never be realized. In this Congress dynastic interests and not nations will be represented. Alas! it will not be the ancient assembly of the Amphyctyons, in which the envoys of different states and nations could freely discuss and settle the

gravest national questions. Such a sublime institution is still wanting to Europe and our epoch. A congress, always convoked on the morrow of a war, has no other mission than to enrol the treaty of peace. Its competence is restricted to a certain order of questions in disputes, which have perhaps been decided beforehand. If others figure in it by the side of the *victor* and the *vanquished*, they only represent sovereigns, never nations. Such a Congress, therefore, has neither the *competence* to attend to the just complaints of nations, nor the power and authority to enforce its decisions.

Before such an Areopagus, who would choose to plead the cause of Hungary? Assuredly neither Russia, nor Prussia, nor England, nor France even, though its sovereign is equally courageous and powerful. Austria would undoubtedly speak of Hungary, but it would be only to accuse her, as a victim who will not suffer with becoming patience.

In fine, sir, I will tell you my whole thought.

The cause of the universal uneasiness that

troubles the old world does not lie in the facts, but in the *principles* which produce them—in the very divergent tendencies which unhappily exist between the sovereigns and nations of Europe.

The sovereigns, with very few exceptions, want to govern by means of feudal, superannuated, inapplicable institutions, whereas the nations belong to an advanced civilization. The sovereigns seem to think they have to deal with nations in infancy, whereas mankind, at least in Europe, have reached the age of manhood. Monarchs have the pretension to be alone capable of willing and thinking, whereas the people also have wills and ideas of their own. For eighteen hundred years man and society have been constantly advancing, in everything, towards the *grand Christian ideal*, which is at the same time the *grand human ideal*; the governments only, in their tendencies and ideas, remain retrograde, *inhuman*, and *anti-Christian*.

There is the moral abyss which separates people and sovereigns.

The people say, *freedom*; the sovereigns reply, *divine right*.

The people say, *national independence*; the sovereigns reply, *conquest* and *historical right*.

Either the people must completely triumph, or sovereigns must govern according to the ideas and spirit of the age, otherwise Europe will have to pass through a sad series of continual and bloody convulsions.

Paris, 15th December, 1859.

PROCLAMATION

ADDRESSED TO THE HUNGARIANS BY NAPOLEON I.

From SCHOENBRUNN, in MAY, 1809.

THE Proclamation addressed to the Hungarians by Napoleon I., more than half a century ago, is peculiarly interesting under present circumstances ; I, therefore, lay it before my readers. It is as follows :—

“ HUNGARIANS !

“ The Emperor of Austria, faithless to his treaties, unmindful of the generosity I showed towards him after three consecutive wars, especially after that of 1805, has attacked my armies. I have repulsed this unjust aggression. The God who gives victory, and punishes ingratitude and perjury has been favourable to my arms. I have entered the capital of Austria, and am near your frontiers.

“It is the Emperor of Austria, and not the King of Hungary, who has declared war against me. *According to your constitution, he could not do so without your consent.* Your policy, which has always been defensive, and the measures taken by your last Diet, have sufficiently shown that your desire was for the maintenance of peace.

“HUNGARIANS!

“*The moment is come to recover your independence. I offer you peace, the integrity of your territory, of your liberty, and of your constitutions, either as they have existed, or modified by yourselves, if you think that the spirit of the age and the interests of your fellow-citizens require it. I ask nothing of you. I only desire to see you a free and independent nation. Your union with Austria has been your bane; your blood has flowed for her in foreign lands, and your dearest interests have been constantly sacrificed to those of her hereditary States. You composed the fairest portion*

of her empire, and were but a province pressed into the service of passions with which you had no sympathy. You have national customs, a national language. You pride yourselves on an ancient and illustrious origin. Resume, then, your existence as a nation! *Have a king of your choice, who shall reign only for yourselves, reside in your midst, and be surrounded only by your own fellow-citizens and soldiers!*

“HUNGARIANS!

“*This is what all Europe requires of you; it is what I also require.* Lasting peace, commercial relations, assured independence, are the prize which awaits you, if you have the ambition to be worthy of your ancestors and of yourselves.

“You will not refuse these liberal and generous offers, and you will not choose to lavish your blood for weak princes, always subject to corrupt ministers, and sold to England, that enemy of the Continent, who has based her prosperity on monopoly and our divisions.

"Assemble, therefore, in national Diet, in the fields of Rákos, like your fathers of old, and let me know your resolves.*

"NAPOLEON.

"Schoenbrunn, May 1809."

All that Napoleon said relative to Hungary in this proclamation was strictly true. Hungary, however, remained mute and made no sign; it is true that the Peace of Posony (Presburg) was signed not long afterwards.

But since that time the world has made gigantic strides, and Hungary has advanced with it. For her, under the domination of the Hapsburgs, the long peace was as unproductive as the war proved disastrous; the last fifty

* The Duc de Bassano got this proclamation translated into Hungarian by J. Bacsányi, a popular poet of the time, then residing at Vienna. The Austrian government persecuted him on this account; he fled to Paris, where he remained till 1814. When the allies entered that city, however, Bacsányi was taken and sent as a prisoner to Linz, where he remained the rest of his life, for he did not die till 1845, at the age of eighty-two. Such is the treatment Austria reserves even for a simple translator; she only gives up her prey to the tomb.

years have therefore completely convinced the Hungarians that they have absolutely nothing to hope from the Hapsburgs, and if, at any future time, no matter when, another Napoleon should address them in similar language, they would not hesitate to rise to a man.

What a grand prospect opens here to a great French statesman who casts his eagle glance afar!

In the grand high-road by which he may hold sway in all the southern part of Europe right to Constantinople, the only break is the broad space called Hungary. France has already, in principle, emancipated Italy, and she, too, was the *de facto* liberator of the Danubian Principalities. That is why France alone now has moral authority and influence in those two countries. But to pass from Italy to the Danubian Principalities, all Hungary must be traversed. Well, if the same political service were rendered to that country, and it might be effected with smaller sacrifices—for Hungary with her 15,500,000 inhabitants,

rather requires moral than material support—the moral power of France would then resemble an electric wire, which, starting from Paris, would pass without a single interruption across Italy, Hungary, the Danubian Principalities to Constantinople, that is, to the East, where the fate of the world will have to be decided.

In fact, we learn from history that France, in the long course of ages, has always had a great mission of universal interest to fulfil. Even when, as a nation, *she was not free*, as now it is the case, Providence, placing her in a strong hand, as at this present time, made use of her as an instrument to change the face of Europe. France has been equally great in the work of destruction and of creation. One while she uprooted old prejudices which fettered the life and free development of human society; at another, she proclaimed a new idea, which, like a blazing beacon, threw its light far onward into the future. Thus she overcame the feudal system of the middle ages, first, by establishing an *absolute* monarchy, and then, at the

Great Revolution, by proclaiming civil and political equality. Thus she destroyed the old *German*, so-called, or *Roman* Empire, which, like a heap of rubbish obstructing the path of progress, only waited to be cleared away. Thus, by the hand of Charlemagne, she founded the temporal power of the Pope; and, at this present time, *by the hand of Napoleon III., she will modify or abolish that temporal power, in conformity with the new necessities of another epoch.*

But if, among the nations of Europe, the peculiar mission of the French is to carry out historic ideas, which make epochs and are become inevitable necessities, can we venture to pass a definitive judgment on the grand policy of Napoleon III., acting in the name of France, before he has accomplished his work? May not the present epoch be for France one of those in which a nation remains for a time as it were under a personal eclipse, in order to fill the great part assigned her in the general history of humanity?

At all events, if we cannot penetrate what a mysterious future conceals, let us frankly acknowledge that hitherto the Emperor of the French has filled every page of his UNKNOWN programme with facts and events of such moment that, if he continues in the same course, patient thinkers may look forward to seeing the face of Europe entirely changed.

MEMORIAL

ADDRESSED TO LORD PALMERSTON,

FIRST LORD OF THE TREASURY OF GREAT BRITAIN,

Dated 11th June, 1859.

MY LORD,

YOUR brilliant political career belongs to history; it is a book open to all the world. I therefore know that you think the Austrian empire a political necessity, and that if it did not already exist, it would be necessary to create it. You have too much independence of mind and opinions to decide for me to think of attempting to support the opposite thesis before you.

I might, it is true, ask—Does the Austria of former days, which England could advantageously use in her European policy, still exist? Has she performed the mission expected of her? Has she done anything to promote the cause of

progress and civilization, either in her own provinces, or along the course of the Danube towards the East? Does she form an effectual counterpoise to Russia, at whose mercy she lay in 1849, and indeed still lies? What then is the use of Austria, if she is not in a condition efficiently to support English interests everywhere, but more especially in the East? And this she is totally incapable of doing.

If there is any power cordially hated by Eastern nations, it is certainly Austria. She is the most detested by the Moldo-Wallachians, the Serbs, the Montenegrins, and all the other Christian races in Turkey, because Austria, as suited her own interests, has in turns excited them to revolt, and allowed their oppressors to crush them to the earth. The momentary confidence they appeared to have in her in 1849, during the war in Hungary, has since changed into a far intenser hatred than even that cherished by the Hungarians themselves, for the latter have only been vanquished, whereas the Slaves have been perfidiously deceived. This hatred

burns like a fire in the bosoms of all the Slaves on the Austrian borders, all the more fiercely from the fact that they are ever looking forward to the founding of a great Slave empire, either independent, or as part of the Russian empire.

I look around in vain to find a future for Austria.

In the south, that is, in Italy, her days are already numbered. It is certain that she will lose Lombardy and Venetia, consequently all her influence in the Italian peninsula. She is not in a position to resist even France alone, still less if you add Piedmont and the mass of Italians who will rise as one man. She will lose in this struggle one-fifth of her territory, and one-sixth of her population.

In the north, in Germany, Austria can have no hope of aggrandizement. The Germanic Confederation will either remain as it is, and if so both princes and people will resist every attempt at absorption by all possible means; or if the project of national union should be realized, it will be to the advantage of Prussia, which is

a purely German power, the most important of all, and possessing the sympathies of the majority of the nation. To realize the grand idea of German unity, Prussia wants nothing but the bold genius and the firm will of another Frederick II. Let Prussia be faithful to liberal Germany, in its desire for unity, and Germany will gravitate towards her, and give her that strength which, unfortunately, she has not yet attained, solely through her own fault. Add to this, the significant phenomenon which we witnessed in 1848, when all the German provinces of Austria even sent their deputies to Frankfort; and thus manifested their desire of uniting to a great German state, which would have led to the complete dismemberment of *old* Austria.

I say *old*, for elements are not wanting to form a *new* empire. And this new empire would be more powerful than the other ever was, but on condition that, being composed of heterogeneous elements, no attempt should be made to introduce French centralization; that the diversities of language, origin, and race should be

taken into account; that the historical rights and traditions of each country should be respected as the ever-living source of patriotism—in short, this new empire should be based on the principle of *federation*, something after the manner of Switzerland or the United States of America. This empire, without Italy, would still have 33,000,000 inhabitants; but if Austria should attempt with her barely 7,000,000 Germans to tyrannize and Germanize the other 26,000,000 who belong to other races, she would cause intestine dissensions without end, and consequently would never be in a position to fulfil the mission which Europe in general, and England in particular, expects of her.

I confess that I have little hope to see the Hapsburg dynasty change its traditional policy. As every individual has his own personality, so each dynasty has its traditions, policy, and character, which cannot be transformed at will. Everybody knows that the Stuarts and Bourbons risked their thrones and their heads rather than consent to govern according to the spirit of their

times. New Austria would therefore require a new dynasty, free from all the trammels of the past, and ready to accept frankly and sincerely the new mission of the new empire.

But I am well aware that what is desirable is not always possible. Let the Austrian dynasty then remain at the head of the empire, but let it follow a policy adapted to the diversity of nations it has to govern. Otherwise, it is indubitable that the other provinces will follow the example set by the Italians. The liberating mission which France is now accomplishing for the Italians, Russia may some day be disposed to undertake for the other Austrian provinces.

England has always supported Austria ; her counsels therefore must be and will be heard at Vienna. Events have fully confirmed the *prophetic* advice, which you, my lord, gave in your despatch of 1st August, 1849, addressed to Lord Ponsonby, then English Ambassador at Vienna : you said :—

“ The war which is now waging in Hungary
“ between the Hungarians on the one side, and

“ the Austrian and Russian armies on the other,
“ has been watched with the most painful interest
“ by her Majesty’s Government. This war . . .
“ has gradually assumed the character and pro-
“ portions of an important European transaction.
“ On the one side stands arrayed in arms almost
“ the *whole* population of Hungary and Tran-
“ sylvania, no longer appearing in small and
“ detached numbers as insurgents, but taking the
“ field with an organized and well-equipped and
“ appointed army, which, by the *lowest* calculation,
“ is said to amount in the aggregate to no less than
“ 150,000 men ; on the other side is found all
“ the available military force which, after pro-
“ viding for other services, the Austrian govern-
“ ment has been able to collect from the remain-
“ ing portions of the Austrian empire ; and in
“ aid of this Austrian force, which is *acknow-*
“ *ledged to be by itself unable to make head*
“ *against the Hungarians*, the whole disposable
“ force of the Russian empire has been brought
“ up to take part in this war.

“ To such an extent, indeed, has the Russian

“ army been employed in this transaction, that
“ it has been found necessary that between
“ 20,000 and 30,000 of the Russian guards,
“ who form the usual garrison of St. Petersburg,
“ should be marched to the south, . . . and the
“ combined Austrian and Russian force operat-
“ ing in Hungary is said to amount to 300,000
“ men.

“ If superior numbers should prevail, and if
“ the Hungarians should be compelled to sub-
“ mit to such conditions as the Austrian govern-
“ ment may think fit to impose, two questions
“ will naturally arise: first, how far will the
“ triumph so obtained over the Hungarians turn
“ to the real and permanent advantage of
“ Austria? and, secondly, what will be the com-
“ pensation which Austria will have to make to
“ that ally by whose *gigantic* exertions *alone*
“ Austria will have been enabled to achieve that
“ triumph?

“ Upon the first of these questions it is to be
“ observed, that if the object to be attained were
“ the reduction of a single town, or the subjugation

“ tion of a small district, a limited garrison
“ would be sufficient to maintain for the future
“ the ascendancy gained by the issue of a battle
“ or of a campaign; but the case is different
“ when the contest is carried on with a popula-
“ tion amounting to more than 10,000,000,*
“ and inhabiting a country whose superficial
“ extent is nearly a third † of the dominions of
“ the Austrian crown.

“ The active army of such a population may
“ be defeated in battle, and may be dispersed, or
“ may be forced to surrender; the commanding
“ points may be occupied, and organized resist-
“ ance may for a time be rendered impossible;
“ the national leaders may be banished, and the
“ people may be compelled to submit to a new
“ order of things: *but the discontent of the heart*
“ *will not be extinguished merely because the hand*
“ *has been disarmed*; and if so numerous a

* 15,500,000.—Note of the Author.

† Very much more: in 1849 the territory of Hungary made 6175 square geographical leagues, and the territory of the Austrian empire, without Hungary, 6046 square geographical leagues.—Note of the Author.

“ population, spread over so vast an extent of
“ country, is to be kept in subjection by the
“ same means of force by which it has been
“ subdued, there is no need of any argument to
“ show *that such a people and such a territory*
“ *must become a source of weakness, and not a*
“ *foundation of strength to the empire* by which
“ they will be ruled. And her Majesty’s
“ government, attaching as they do great value
“ to the maintenance of the power and prosperity
“ of the Austrian empire, would see with deep
“ concern such a *political cancer corroding the*
“ *vital elements of that empire’s existence. . . .*

“ But the earnest wish of the British govern-
“ ment is, that this great war may not be fought
“ out to an extreme result; and very heartily
“ would the British government rejoice if they
“ could entertain a hope that this conflict *between*
“ *an entire nation* and the armies of two great
“ *empires* might be brought to an early termina-
“ tion by an arrangement, which, on the one
“ hand, *should satisfy the national feelings of the*
“ *Hungarians*, and, on the other hand, should

“ maintain unimpaired the bond of union which
“ has so long connected Hungary with the
“ Austrian crown.

“ An arrangement so made with the good-
“ will of the Hungarian people, would hold out
“ a fair promise of that *real concord*, without
“ which a *nominal union* would be deprived of
“ efficacy and value. . . .”*

The central mass, the main pillar of this empire, is necessarily Hungary; with her the empire would be strong, without her it would be too weak to influence the balance of power in Europe. Hungary, as she was down to 1849, would be half Austria (without Italy), both as to territory and population; she has sufficient resources to support a population of from twenty-five to thirty millions; while, as a state, she can boast an existence of nearly a thousand years, with a strong internal political organization, the work of many centuries. Her organization, being the

* ‘Correspondence relative to the Affairs of Hungary, 1847-49. Presented to both Houses of Parliament by command of Her Majesty, August 15, 1850.’ London, pp. 286, 287.

direct contrary of centralization, is eminently adapted to serve as a model for the nations of the East, who sooner or later will rise up and form so many states, after the inevitable ruin of Turkey. And, believe me, if there is any country in which there exists and flourishes an ardent patriotism, the fruit of historical traditions, of a past alternately glorious and stormy, that country is Hungary. The temporary dissension which arose among its different races in 1848, partly provoked by Austrian intrigue, partly attributable to the feverish excitement of the times, has now altogether disappeared. Under the old constitution these nationalities were all free: when they had helped to overthrow it, their liberties were lost, and their very national existence jeopardized. Such is the reason of their tardy but undeniable reconciliation.

I enumerated the reasons for which Hungary should be made the nucleus of the new empire. Joseph II., the only man of genius among the sovereigns of the house of Hapsburg during three centuries, had the sagacity to perceive this. He

clearly saw that the future of the empire was solely in the East; but though he judged correctly as to the end, he was altogether wrong in his choice of means, for he endeavoured to Germanize the races, and abolished the constitutions. How could it be possible for the different nations, incorporated and contiguous, to feel any sympathy for an empire which allowed them no liberty, and was also bent on forcibly annihilating their nationality? The result was what might have been foreseen: Austria lost the confidence of all the populations, and both within her frontiers and in the surrounding countries, some trembled for their nationality, others were eager for liberty, but the Austrian system threatened both these possessions, the two greatest blessings of individuals and nations.

Allow me here, my lord, to make a remark, which, in my opinion, is of great importance. I venture to affirm that western civilization in the East cannot be diffused so well in any other way as through the instrumentality of Hungary. Instead of developing this idea myself, I prefer

quoting an Englishman, who expresses the very sentiments which I wish to submit to your attention as a statesman and a man of progress:—

“ Contiguous races have a similarity of ideas
“ and habits, which we do not find between remote
“ races. Affinity of race, frequent contact in
“ peace and war, past and present, physical
“ circumstances, such as navigable rivers and
“ open plains, act as so many connecting *links*
“ between the adjoining races. *Such links may*
“ *be found between eastern and western races.*
“ The Hungarian race or people is oriental in its
“ descent, traditions, and to a great extent in its
“ habits and ideas. As a European colony of
“ eastern origin, and of a *kindred* race with the
“ neighbouring Turks, the Hungarian race has
“ been drawn by historical events into the circle
“ of western civilization, many of whose ideas it
“ has adopted. *It thus forms an intermediate*
“ *link* between the eastern and western nations,
“ and seems *destined to bring them nearer to each*
“ *other.* Its geographical position indicates the
“ same destiny. Enclosed on the north and

“ south by high mountains, its river system forms
“ a natural channel from the west to the east.
“ The mighty Danube, proceeding from the very
“ centre of Germany, and receiving the tribute
“ of all the rivers of middle Europe, seems to be
“ the *natural high road* for commerce and civiliza-
“ tion. It has already opened the long-closed
“ barriers between the Hungarians and the Turks;
“ and late events (1848) have not a little contri-
“ buted to renew the relationship between these
“ two kindred people, which had been (by the
“ Austrian policy) interrupted for ages; with this
“ difference, however, that the arm which was
“ formerly raised only to slay, has been now
“ extended to receive and defend *as brothers*
“ their long-estranged kindred and ancient
“ enemies.”

I repeat it, my lord: Hungary, who, unfortunately, under existing circumstances, cannot express her desires, would certainly prefer having a sovereign in no way connected with the Austrian dynasty, the sole cause of our protracted sufferings, the eternal enemy of progress and national inde-

pendence. In truth, Hungary possesses all the qualities necessary to constitute an independent state. For richness of soil and variety of national products, there is no country in Europe superior to her. Her territory contains 6175 square geographical leagues, whereas Prussia has only 5070, Great Britain only 5716. Hungary is more extensive than Portugal, Sardinia, Hanover, Bavaria, Saxony, and Wurtemberg united. The number of inhabitants is 15,500,000; and in this respect, after Russia, France, and Great Britain, she comes immediately after Spain, which has 15,995,584 inhabitants, and Prussia, with 15,580,000. In time of peace, Hungary has an army of 150,000 men, being less than Russia and France, equal to Prussia or Great Britain, and superior to any other state in Europe. In time of war the army might be raised to 300,000 men without the least difficulty. You thus see that Hungary possesses all the elements necessary to make a power of the first order. Besides, did she not fulfil the mission of a great power, when, in the 15th, 16th, and 17th

centuries, she alone repelled the immense power of the Ottomans, and stood forth to protect all Europe against their inroads? By this mighty feat of arms she well won her spurs, and justified her title to rank as a great power. Believe me, my lord, that just as she was able formerly to defend Christendom against all Islam, so, from whatever quarter danger may come, Hungary will prove that she can fight for her own liberty and the liberty of the world. Moreover, it is impossible to deny her great vitality. You were a friendly witness of our struggle in 1848-49: certainly a state deserves to be acknowledged as a first-rate power when it could not be conquered, even under disadvantageous conditions, but by the combined armies of two other great powers. This argument admits of no reply; our very defeat gives evidence of our strength.

In her inmost soul, then, Hungary cherishes the same aspirations as Lombardy and Venetia—she desires absolute independence; she wishes to belong to herself, and have the direction of

her own destinies. If, however, diplomatic considerations prevent us from attaining this ardently-desired end, if we are not to be saved by a Napoleon, as Italy probably will be, then there is but one means of satisfying Hungary, which is, restore her *old constitution* and *historical limits*, by making this one of the conditions of peace on terminating the present war in Italy. If the war has not begun for us also, let us at least profit by it. Never will a war have borne nobler fruit than one which secures the liberty of two nations.

This condition of peace is indisputably:—

1. In the interest of *right and justice*. Between Hungary and the Austrian dynasty there legally exists a synallagmatic contract which binds the latter to strictly observe the laws and constitution of the country. If kings may with impunity break the treaties they have sealed and sworn to, how can they expect nations to respect existing laws?

2. It is in the interest of *constitutional liberty*. This side of the question must particularly in-

terest the English people, who, proud of their constitution, eagerly seize every opportunity of promoting constitutional government among the other nations of Europe. Add to this, that our constitution dates from the same century as the English; they are two old and venerable sisters, resembling each other in more than one respect. *By our customs, our usages, our political ideas, by all that constitutes the most religious and public life of a people, the Hungarians represent English civilization in the East, just as the Poles and Roumans represent French ideas. This circumstance has a most important bearing on English interests in the East.*

3. It is in the interest of *European public order*. As Poland and Italy have long been a permanent source of trouble in Europe, it will be the same for Hungary; she will always be dissatisfied, agitated, revolutionary; she will be like a barrel of powder, which a spark may at any moment explode, to the destruction or injury of all around.

4. It is in the interest of the *European balance*

of power. Does the English government really think the existence of Austria a political necessity? If she does, let her see that Hungary is satisfied, for Austria, especially after losing Italy, will have no claim to the rank of a great power except through Hungary; by her alone Austria exists, by her Austria is made either strong or weak. In any case, it is evident that, if Austria leaves the Hungarians dissatisfied and threatening, it will take all her power to keep under the revolutionary and centrifugal elements, and consequently she will be unable to fulfil the political mission which you and other states expect from her.

I know that Austria used to be regarded as the keystone of the European edifice, because she was a conservative rather than an aggressive power, and as such she was always a favourite ally of the older generation of statesmen. But, I again ask, how can you lean upon a power which cannot support itself? The Austria of former days has ceased to exist, her internal elements being in continual revolt and agitation,

she is necessarily powerless to resist a foreign enemy. What can be hoped from an empire whose subjects rejoice at the defeat of their own sovereign? Can the alliance of a monarch whose most deadly enemies are his own subjects have the least value or importance in your estimation? Let not the name of Austria deceive you; as *a name*, she exists, but her real power, her moral and political influence, have long since disappeared.

5. It is in the interest of the *Eastern question*, both as to politics and the advance of civilization. By her geographical position, her origin, her language, her semi-oriental manners, Hungary is eminently qualified to transmit to the nations of the East all the elements of progress and the ideas of Western civilization, as I have already had the honour to show. But that is not all. For the same reasons, and especially because the constitution of Hungary, as developed into a complete system in that country, must be recognized as particularly suited to the genius and patriarchal manners of the East; for

these reasons, I say, Hungary is destined to play the chief part in the solution of that great question ; but this salutary mission to promote the liberty and happiness of the respective nations can only be accomplished by Hungary *free, strong, and constitutional*.

Such are the ideas, which, inspired by love for my country, I have the honour to submit to you, my lord, the head of a liberal government, the prime minister of a free nation, who have from the beginning shown so much sympathy with our cause, which is just and legitimate, if ever cause was. Hungary herself, in her unparalleled oppression, being unable to proclaim her grievances, I, her exiled son, speak in her name ; that privilege is all I have left to console me for the loss of my beloved country.

England, I know, is not one of the belligerent powers ; she cannot, therefore, propose direct conditions of peace ; but she is powerful by her arms as well as by her counsels, and I am convinced that her suggestions will be respectfully received both by the conqueror and the con-

quered. We have the right to hope that the Emperor Napoleon, who has done everything for the Italians, will also do something for us. The principle he has solemnly proclaimed, *National Independence*, must also find its application with respect to Hungary. When he has done so much for the Roumans and the Italians, it would be a kind of injustice to forget us. He will make the restoration of our national autonomy a condition of peace, and I pray you to act in the same direction in accord with him.

In your despatch of 1st August, 1849, above quoted, you gave Austria wise, nay, almost prophetic counsels, my lord, and the present moment is opportune to compel her, for her own sake as well as Europe's, to accept them. This act would be worthy of your political career. Hungary, once more free, would be an eternal monument to your memory.

I have the honour, my lord, to assure you of my highest consideration.

BARTHELEMY DE SZEMERE,

formerly Minister-President of Hungary.

Paris, 11th June, 1859.

MEMORIAL

ADDRESSED TO COUNT DE CAVOUR,

SARDINIAN MINISTER OF FOREIGN AFFAIRS.

Dated 6th June, 1859.

MY LORD,

VICTORY, full and complete, will assuredly crown a war so just undertaken against Austria. All Italy in arms, the brave Sardinian army, and the powerful sword of France, all together present a formidable combination against which Austria will be utterly unable to stand.

The Hungarian exiles, I need hardly say, watch with the deepest sympathy the heroic struggles of which the plains of Lombardy are now the theatre. If invited formally, *publicly*, by those who direct the holy work of delivering Italy, the Hungarian exiles would have been happy and eager to lend their aid in the most effective manner. They well know that the

allies do not need their help ; but a man always serves his country by combating its enemies.

However, if it should happen, which is very improbable, that the course of events continues to condemn the Hungarian refugees to that imposed reserve which is so irksome to them, should the war for that reason exercise no influence whatever on the fate of Hungary? Such is the question asked by the exiled sons of that unhappy country, the elder sister of Italy under Austria's oppression ; and to this question, I, one of these exiles, venture to call your excellency's attention for one moment.

The war, made without Hungary, has not been undertaken for her : we well know that. But was the last war in the East made for the Danubian Principalities? It is none the less, however, the happy result, the chief merit, of the peace of 30th March, 1856, to have secured to those countries the elements of a free national development. War being never made for its own sake, but solely as a means, victory is only happy and salutary, inasmuch as the peace con-

cluded, by consolidating the rights of nations, permanently obviates every new cause of disturbance.

Could not the conquerors in the war in Italy, when the moment arrives *to negotiate, or, rather, dictate a peace*, stipulate the restitution of the rights of which Hungary has been iniquitously despoiled, and do so in the interest even of the principle for which they have fought, in the interest of the consolidation of the peace they will so gloriously have won?

When oppressed Italy had not even the liberty of complaining, you stood forth in the face of Europe as the courageous denouncer of her wrongs; now I come to plead before you the cause of my poor country, which also suffers, and is not allowed to speak. I have the firm hope that the distinguished statesman who, ere-while himself a suppliant, has been raised by the course of events to the rank of a judge, will not refuse to Hungary the justice he claimed with such manly energy for the people of Italy; and his opinion, I am certain, will be of great

weight: for neither Napoleon nor Victor Emmanuel can refuse to lend a friendly ear to the advice of their most devoted, most sagacious counsellor.

The history of Hungary, since the crown of St. Stephen passed, under well-defined conditions, into the house of Hapsburg, is only the history of the struggles the nation has constantly had to maintain, in order to compel the Austrian dynasty to fulfil those constitutional conditions which every king, before he ascended the Hungarian throne, nevertheless always solemnly swore to observe. These struggles, which at times degenerated into formidable revolutions (in 1604, 1619, 1643, 1671, 1704, 1848), always terminated (except in 1849) in the triumph of right. Hungary thus succeeded, in spite of every difficulty, in preserving entire her national autonomy, her constitution, proved by eight centuries of duration, her liberties, and her privileges. Solely owing to Muscovite intervention, Austria succeeded in 1849 in vanquishing our nation; and, making a most iniquitous use

of a victory she had not won, by a single decree she stripped us of our constitution and independence. As she also threatens our national existence, who can be surprised if the Hungarian nation indignantly endures the thralldom to which she is so little accustomed, and cherishes the most intense hatred towards her oppressor? To be delivered entirely and for ever from the Hapsburg system of government is at this moment the most ardent desire of all the populations inhabiting the fair realm of Hungary.

She asks for no more than Italy demands; she aspires to independence, whatever may be the name and form of the government.

Nevertheless, if the general situation of Europe should not allow the immediate realization of this most reasonable demand, if Hungary must be still condemned to have a king of the house of Hapsburg, she ought at least to recover her *ancient limits* and *her constitution as it existed down to 1849*. Violence alone deprived her of them; is it possible their restoration can be refused when the time shall come

to settle the long account of Austrian iniquities? If Napoleon III. and Victor Emmanuel, when victorious, should please to make this restitution *one of the conditions* of the peace to be concluded, certainly not a single European power would hesitate to adhere to it.

Indeed, where is the power that could have any interest in opposing an arrangement by which Hungary would recover through diplomatic intervention what Austrian violence had so lately torn from her?

Assuredly England would not, as her history and political principles tend, on the contrary, to favour the universal development of liberal and parliamentary institutions. In 1849, Lord Palmerston, as Foreign Minister, did not fail to make very serious remonstrances at Vienna in this sense. Besides, England has a very distinct perception of the important part Hungary will have to play in the definitive solution of the *Eastern question*. But of this more hereafter.

Would it be Russia? She too deeply re-

grets the mistake made in 1849, when she assisted Austria in crushing that free Hungary, where so many of the Slave race and millions of Greek Christians enjoyed the benefits which the liberal Hungarian constitution guaranteed to all the inhabitants of the country, without distinction of race or creed. And, in a more general point of view, it was (a fact now acknowledged at St. Petersburg) a grievous blunder that Nicholas I. committed when he marched his troops into Hungary to prevent the otherwise inevitable fall of the Hapsburg dynasty. The attitude assumed by Russia towards Austria during the last three years is a certain guarantee that, under no circumstances, would Alexander II. repeat the mistake of his predecessor, who ceased to be a good Russian when he conceived the fatal thought of saving Austria.

And Prussia? In spite of the hankering after warlike intervention in favour of Austria which now seems to possess the officious advisers of the Prince Regent, I do not think that

Prussia can ever so far overlook her own interest as to attempt to restore or maintain by force of arms the iniquitous absolutism of the Viennese government. The mission, nay, even the very conditions of existence for Prussia, a purely German, young, and Protestant state, lies precisely in the antagonism in which its system of free national development, its constitutional, progressive, and tolerant policy place it with respect to Austria, which is oppressive, tyrannical, absolutist, retrograde, and ultramontane. Prussia would commit political suicide by making herself the instrument of her rival's policy. The sympathies of the German population, manifested during our heroic struggles in 1848-49, the unanimity with which they protest at this moment against the supposed intentions of the Prussian government, would no doubt restrain a sovereign who should thus betray the liberal traditions and the true interests of the kingdom of Frederick II. *

* If Austria could succeed in entering the Germanic confederation with her 36,000,000 inhabitants (for she only figures

But if the states I have just named have no serious reason to oppose the reconstitution of free Hungary, Piedmont has every interest to favour it.

In fact, if Lombardo-Venetia, as seems most likely, should be united to Piedmont, the new kingdom of Upper Italy will have Austria for a neighbour. Is it necessary to dwell upon the dangers of such a vicinity, if Austria, who will

there with 12,000,000 or 13,000,000), she would be at once the mistress where she now can only prevail by dint of intrigues, and Prussia would necessarily fall to the rank of Hanover and Bavaria. What has hitherto prevented Austria from entering with all her power? Why, the difference of race, and more especially the Hungarian constitution. That was one great motive which impelled Austria to overthrow our constitutional rights. Indeed, so long ago as 1850, she demanded that all her states should be received into the confederation; but the Hungarian refugees speedily called the attention of all the other European powers to the dangerous effect it would produce on European order. We immediately presented to the English, French, and other governments, memorials drawn up by myself, and signed by many of my countrymen. The protest of the President of the French Republic, dated March, 1851, and addressed to the diet at Frankfort, is a model of style and diplomatic sagacity well worthy of an attentive perusal.—See 'Journal des Débats' of April 3, 1851.

never be reconciled to the loss of that fine country, preserves in the rest of her states the existing tendencies and organization? She would be an external cause of uneasiness for the new kingdom, which she would never cease to threaten, agitate, and alarm.

This danger would not exist with Hungary a constitutional state. Her fifteen millions of inhabitants would never allow Austria to resume a career of conquest and oppression. Between two constitutional countries, which are near neighbours, good understanding and peace will be seldom disturbed; but these advantages will never be more than apparent, and always of uncertain duration, between two countries, if both are despotic, and still more when one is governed despotically, everything therein depending on the will of one man, while the other enjoys free institutions.

Driving the Austrians from the Lombardo-Venetian territory will not suffice to secure to Italy the peaceful enjoyment of the liberty she will have gained, and the progressive insti-

tutions she may have given herself; it will still be necessary to deprive Austria, remaining her neighbour and natural enemy, of both the will and the power to disturb her possession of blessings so dearly bought. With Hungary free, as that kingdom would necessarily play the principal part in the new Austria, of which she would compose one half, that end would be completely attained.

Moreover, in the work which the allied armies are so gloriously performing at this moment, there is, if I understand aright, in addition to the Italian question, another question, relating to European order. For the Italians, the point is to shake off foreign domination, and become masters of their own actions. For Europe, the solution of the Italian question signifies the extinction of a volcano which is ever rumbling and threatening, the removal of causes of alarm which may at any moment lead to commotions whose consequences no man can calculate. Now, seeing the solidarity that connects all civilized countries, it is of the utmost importance

to generalize this solution, or, in other words, to annihilate all the causes of disturbance and agitation by the general introduction of the constitutional system. Need I demonstrate that this sublime end can never be secured so long as Austria, deprived of her Italian possessions, is still able to retain and pursue her well-known tendencies? The cause of agitation would only be removed from one point to another, it would not be suppressed.

I will say further, that the re-establishment of Hungary as a constitutional State is also dictated by the interests of civilization, in its progressive advance from west to east. In this respect, Hungary, and Hungary alone, would be perfectly adapted to serve as an intermediary between western civilization and the Danubian countries. It is not solely because of her geographical proximity, but more especially because there exists between Hungary and the inhabitants of those countries, a similarity of origin, manners, and customs, which would render it easy for her to exercise her influence in the

cause of progress. In bygone times, was it not Hungary that supplied the *professors, legislators, lawyers*, physicians, the writers most distinguished in their respective literatures, to the Danubian Principalities, Servia, and Montenegro? In short, Hungary forms, as it were, the natural channel by which western civilization must flow into those eastern countries. The Danube, that eminently Hungarian river (as in Hungary it begins to be navigable, and great part of its course lies within her frontiers)—does not that king of rivers form the high-road between the two worlds, for the exchange of merchandize as well as intellectual intercourse? In 1848, when the national government of Hungary had thrown down the barriers raised by Austria, did we not see at once established an intellectual and material exchange, most active, most beneficial, and most friendly, between Hungary and the East; an exchange which immediately ceased when Austrian absolutism was again triumphant?

In a general point of view, the existence of a

constitutional Hungary would have the most salutary influence on the solution of the great question in the East, which, for good reasons, still engages the attention of Europe.

Opinions with respect to this grave question are very divergent. For my part, I have no confidence in the vitality of the Turkish empire, and I do not see for the populations of European Turkey, who are the sole legitimate heirs of Islam, any assured future except in a *federation*. Isolated, they would be weak, and would fall an easy prey to ambitious and powerful neighbours; united, they would be strong enough to resist all assailants. Well, the Hungarian constitution, based on the *federative* principle, like the Helvetic confederation and the United States of America, would offer them an excellent model, which they might all the more easily imitate, as the federative principle even now exists in Turkey as a germ, being inherent in the patriarchal organization and that of the tribes. Only the principle, which in Turkey remains in a kind of embryo

state, has been in Hungary fully developed into a political system. In case of need, Hungary, restored to liberty and independence, would serve, not only as a model, but also as a rallying point, a *point d'appui*, in case of external danger; for Hungary can easily bring under arms 300,000 men; and history tells of Hungarian bravery. But what is far more important is the practical aptitude of the Hungarians for administration and organization. It was solely owing to this aptitude, the result of our administrative autonomy during centuries, that we were able to manage so well in 1848-49, and to raise several large armies with such rapidity.

In fact, it is doubtful whether, without the efficacious support and active assistance of a free and liberal Hungary, these newly-formed states could long maintain their independence.

Joseph II. well understood that the true solution of the Eastern question lay at Buda, and must be worked out by Hungary. But he thought only of a solution in a dynastic interest. The influence to which we aspire would,

on the contrary, be exercised for the good of those countries, in the interest of their liberty, their material and moral development—in short, in the interest of general civilization. Let an Austrian sovereign continue, if it must be so, to occupy the Hungarian throne. It would be a misfortune for us ; but that in no way weakens my assertion, for he will never be able to act otherwise than in conformity with the liberal tendencies of the country, if, by the restoration of our old constitution, Hungary becomes mistress of her actions and of her destiny.

It is as a Hungarian and a Liberal that I have taken the liberty to present these considerations to your excellency, trusting, that if you think them just, you will submit them to the Emperor Napoleon III. and Victor Emmanuel.

The greater the number of people who profit by their benefits, the more glorious will their victory be. The Hungarian nation, who, even under the sway of the Hapsburgs, succeeded for three centuries in defending and maintaining their liberties, either by peaceful means, or when

necessary, by arms; who, unaided, in 1849, would have certainly triumphed over Austria, if she had not called the Russians to her succour—the Hungarian nation is an object worthy of the solicitude of the glorious conquerors of Austria in Italy. Your sympathies, my lord, are surely with us, for whoever knows how to win liberty to his country must certainly be desirous of seeing all oppressed nations enjoy the like blessing.

I have the honour to offer to your excellency the assurance of my highest consideration.

BARTHOLOMEW DE SZEMERE,
formerly Minister-President of Hungary.

Paris, 6th June, 1859.

JUSTIFICATIVE PAPERS
IN SUPPORT OF THE SEVENTH LETTER.

M

Extracts from the Hungarian code, entitled

CORPUS JURIS HUNGARICI,

SEU

**DECRETUM GENERALE I., REGNI HUNGARIE, PARTIUMQUE EIDEM
ANNEXARUM, TOMUS I. ET II.**

**Budæ, 1822, typis et sumptibus typographiæ regiæ
Universitatis Hungariæ.**

I.

JURAMENTUM FERDINANDI I., REGIS HUNGARIÆ,

QUOD TEMPORE SUÆ CORONATIONIS PRÆSTITIT.

(Anno 1527.)

Nos Ferdinandus, Dei gratia rex Hungariæ, Bohemiæ, etc., juramus per Deum vivum, per ejus sanctissimam genitricem Virginem Mariam, et omnes sanctos: quod nos ecclesias Dei, dominos prælatos, barones, nobiles, civitates liberas, *et omnes regnicolas* in suis immunitatibus et libertatibus, *juribus*, privilegiis, ac in antiquis bonis, et *approbatis consuetudinibus conservabimus*, omnibusque justitiam faciemus; serenissimi condam Andreæ regis decreta observabimus; *fines regni nostri Hungariæ, et quæ ad illud quocunque jure aut titulo pertinent, non alienabimus, nec diminuemus*, sed quoad poterimus, augebimus, et extendemus, omniaque alia faciemus, quæcunque pro bono publico, honore, ac incremento omnium statuum, ac totius regni nostri Hungariæ juste facere poterimus. Sic nos Deus adjuvet, et omnes sancti. (Tomus I., pagina 340.)

JURAMENTUM FERDINANDI V., REGIS HUNGARIÆ.

(Anno 1830.)

Nos Ferdinandus, Dei gratia rex Hungariæ, etc., etc., juramus per Deum vivum, per ejus sanctissimam genitricem Virginem Mariam, ac omnes sanctos, quod ecclesias Dei, dominos prelatos, barones, magnates, nobiles, civitates liberas, et omnes regnicolas in immunitatibus ac libertatibus, juribus, legibus, privilegiis, ac in antiquis bonis, et approbatis consuetudinibus conservabimus, omnibusque justitiam faciemus; serenissimi condam Andreæ regis decreta (exclusa tamen, et semota articuli 31 ejusdem decreti clausula, incipiente, Quod si vero nos, etc., usque ad verba: In perpetuum facultatem), observabimus, fines regni nostri Hungariæ, et quæ ad illud quocunque jure aut titulo pertinent, non alienabimus, nec diminuemus, sed quoad poterimus augebimus, et extendemus; omniaque illa faciemus, quæcunque pro bono publico, honore et incremento omnium statuum, ac totius regni nostri Hungariæ juste facere poterimus. Sic nos Deus adjuvet et omnes sancti. (Tomus II., pagina 518.)

II.

LEOPOLDI I. DECRETUM QUARTUM.

ARTICULUS II.

(1687.)

SACRÆ Cæsareæ, et regiæ modernæ majestatis, serenissimorum masculorum hæredum primogeniti, pro naturali-

bus et hæreditariis regni Hungariæ, partiumque eidem annexarum regibus declarantur.

1. § . . . Masculorum hæredum primogenitum. . . .
 erga *semper, totiesque*, quoties ejusmodi inauguratio instauranda erit, *præmittendam* præinsinuatorum articulorum diplomaticorum *acceptationem* seu regiam assecurationem, *deponendumque superinde juramentum*, in ea, quæ a majoribus suis præstitum esset forma, *diataliter* intra hoc regnum Hungariæ, rite (sunt status et ordines), coronaturi. (Tomus II., pagina 65.)

III.

SANCTIO PRAGMATICA.

SCE

DECRETI IN COMITIIS REGNI ANNO 1723 CONDITI.

ARTICULUS II.

De regia hereditaria Sacratissimæ Cæsareæ et Regiæ Majestatis sexus fœminei Augustæ Domus Austriacæ in Sacra Regni Hungariæ corona, et partibus eidem ab antiquo annexis continua successione.

TAMETSI suæ sacratissimæ Cæsareæ et regiæ Majestatis fideles status et ordines regni Hungariæ, partiumque eidem annexarum vividam et florentem, optimeque constitutam ætatem, vires et valetudines conspicientes, divinæque benedictioni quam optime confisi, eandem magnis et gloriosis sexus masculini successoribus, ad preces quoque fidelium suorum statuum eo fine ad Deum ter optimum fusas et incessanter fundendas, largissime benedicendam et indesinenti musculorum hære-

dum suorum ordine fideles status regni consolandos fore, vel maxime considerent.

§ 1. Quia vero apprime etiam perspectum haberent : reges pariter et principes æquali aliorum hominum mortalitatis sorti subjectos esse ; mature proinde et consulto perpendentes, tot et tanta cum prædecessorum suæ sacratissimæ et regis majestatis divorum olim Leopoldi Genitoris et Josephi fratris, gloriosissimorum Hungariæ regum ; tum vel maxime propria clementissimæ regnantis suæ sacratissimæ Cæsareæ et regis majestatis, pro incremento boni patrii publici, prove fidelium civium suorum perenni salute, bello æque ac pace, exantlata gloriosissima acta et facta ; dum non modo hæreditarium regnum hoc suum Hungariæ, partesque, regna et provincias eidem annexas, in statu per præattactos gloriosos prædecessores suos positum conservavit ; sed occasione etiam novissimi ottomanici belli, contra ferventissimos ejusdem impetus idem animose tutata ; victricibus, felicibusque annis, in annexa eidem regna, et provincias cum immortalis nominis sui gloria, statu-umque et ordinum, ac privatorum regni civium perenni securitate protenderit : ut successivis quibusvis temporibus ab omnibus externis et etiam domesticis confusionibus et periculis præservari ; imo in alma et continua tranquillitate ac sincera animorum unionem adversus omnem vim etiam externam felicissime perennare possit.

§ 2. Quosvis præterea etiam internos motus, et facile oriri solita, ipsis statibus et ordinibus regni ab antiquo optime cognita *interregni mala* sollicitè procavere cupientes ;

§ 3. Marjorum suorum laudabilibus exemplis incitati ;

§ 4. Volentesque erga sacratissimam Cæsaream et regiam Majestatem Dominum eorum clementissimum gratos, et fideles semet humillime exhibere ;

§ 5. *In defectu sexus masculini sacratissimæ Cæsareæ et regiæ majestatis (quem defectum Deus clementissime avertere dignetur), jus hæreditarium succedendi in Hungariæ regnum et coronam, ad eandemque partes pertinentes provincias et regna jam divino auxilio recuperata, et recuperanda ; etiam in sexum Augustæ Domus suæ Austriacæ fæmineum, primo loco quidem ab ætate modo regnante sacratissima Cæsareæ et regiæ majestate ;*

§ 6. Dein in hujus defectu a divo olim Josepho ;

§ 7. His quoque deficientibus ex lumbis divi olim Leopoldi, imperatorum et regum Hungariæ descendentes, eorundemque legitimos, rom. catholicos successores utriusque sexus Austriæ archiduces, *juxta stabilitum per sacratissimam Cæsaream ac regiam regnantem majestatem in aliis quoque suis regnis et provinciis hæreditariis in et extra Germaniam sitis primogenituræ ordinem, jure et ordine præmisso, indivisibiliter et inseparabiliter, invicem et insimul, ac una cum regno Hungariæ et partibus regnis et provinciis eidem annexis, hæreditarie possidendis regendam et gubernandam transferunt.*

§ 8. Et memoratam successionem acceptant.

§ 9. Taliter eandem successionem fæmineam, in Augusta Domo Austriaca introductam et agnitam (extensis ad eam nunc pro tunc articulis 2 et 3, anni 1687, et pariter anni 1715, 2 et 3), juxta ordinem supradictum stabiliunt.

§ 10. Per præattactum fœmineum sexum Augustæ Domus ejusdem, prævio modo declaratos hæredes, et *successores* utriusque sexus archiduces Austriæ, *acceptandam* *ratihabendam* et una cum præmissis æque modo prævio per sacratissimam Cæsaream et regiam majestatem clementissime *confirmatis diplomaticis, aliisque prædeclaratis statuum et ordinum regni, partiumque, regnorum et provinciarum eidem annexarum libertatibus, et prærogativis ad tenorem præcatorum articulorum, futuris semper temporibus, occasione coronationis observandam determinant.*

§ 11. Et nonnisi post omnimodum prædicti sexus defectum, *avitam et veterem*, approbatamque et receptam *consuetudinem*, prærogativamque statuum et ordinum, in *electione* et coronatione regum, locum habituram, reservant intelligendam.

IV.

ARTICULUS III.

1723.

Jura, prerogativæ et libertates Statuum et Ordinum Regni,
Partiumque eidem annexarum confirmantur.

SACRATISSIMA Cæsarea et regia majestas universorum fidelium statuum et ordinum regni, partiumque eidem annexarum, omnia tam *diplomatica* quam *alia quævis jura, libertates et privilegia, immunitates et prærogatives, legesque conditas et approbatas consuetudines* (conformitate articulorum 1 et 2, modernæ diætæ in sensu articulorum 1, 2 et 3, anni 1715, formulæque juramenti ibidem

contentæ, intelligendorum), clementer confirmat et observabit.

§ 1. Pariterque successores *legitime coronandi* Hungariæ et partium eidem annexarum reges, in iisdem prærogativis et præmissis immunitatibus et *legibus, status et ordines regni*, partiumque eidem annexarum, *inviolabiliter conservabunt.*

§ 2. Quas, et quæ præterea sua majestas sacratissima. *per suos cujuscunque status, gradus et conditiones, observari faciet.* (Tomus II., paginis 118, 119.)

V.

DIPLOMA REGIUM

SEU

ARTICULORUM IN COMITIIS REGNI ANNO 1790-91 CONDITORUM.

ARTICULUS II.

Diploma Regium per Sacram Regiam Majestatem *ante felicem inaugurationem, coronationemque* suam Statibus et Ordinibus Regni datum, publicis Constitutionibus Regni inseritur.

FIDELES status et ordines inclyti regni Hungariæ et partium annexarum, ultro per suam majestatem regiam pro fausta sui coronatione ad diætam convocati, peroptime recordantur, qualiter vigore articulorum 1, 2 et 3, 1723, jus hæreditariæ successionis in regno Hungariæ, partibus, regnis et provinciis eidem annexis, in sexum fœmineum Augustæ Domus Austriacæ translatum fuit, quodve *erga semper occasione cujuslibet inaugurationis* ad præscriptum legum suscipiendæ, *præmittendam diploma-*

ticorum articulorum acceptationem, juramentique depositionem. Eum, quem juxta præstabilitum successionis ordinem, eadem successio respiciet, pro legitimo suo rege et domino habituros, et coronaturos se declaraverint.

Cum itaque sacra Cæsarea majestas, via legitimæ et immediatæ successionis regimen regni hujus suscepisset, ejusmodi articulos acceptasset, et juramentum in ea, qua per augustam genitricem suam et reginam apostolicam Mariam Theresiam præstitum fuerat, forma deposuisset, ac diætaliter faustissime coronata fuisset, legesque regni ac jura, libertates et privilegia antiqua se observaturam clementer spopondisset, visum est statibus et ordinibus regni, *articulos diplomaticos, seu ipsum sacrum diploma, juramentique formulam constitutionibus inseri, inscribique facere, cujus quidem tenor sequitur in hunc modum :*

Nos Leopoldus II., divina favente clementia, electus Romanorum Imperator semper augustus, Germaniæ, Hungariæ, etc., Rex Apostolicus, agnoscimus et memoriæ commendamus, tenore præsentium significantes quibus expedit universis: quod posteaquam ex inscrutabili Divini Numinis Judicio Serenissimum et potentissimum olim Principem Dominum Josephum II^{um} Dominum germanum fratrem nostrum, felicitis recordationis desideratissimum, anno nunc labente, mense Febuario de hac mortali vita et temporaneo regimine ad sempiternam immortalitatem et æternæ gloriæ coronam evocari et transferri contigisset, ac ex eo, quod nullam superstitem masculam prolem post se reliquisset, Nos, quo aliunde exasse hæres, et immediatus

successor in Regno Hungariæ, et Partibus eidem adnexis, vigore articulorum 1^m et 2^d diætæ anno 1723 conclusæ, legalem successionem nostram declarantium et stabilientium legitime successissemus, ac ad mentem legum regni pro felice eaque faustissimis votis Deo tor optimo maximo auxiliante instauranda inauguratione nostra, fidelibus nostris universis inclyti nostri Regni Hungariæ et Partium eidem adnexarum Statibus et Ordinibus conventum, seu Diætam intra idem Regnum Hungariæ, utpote in regiam liberamque civitatem nostram Budensem pro Dominica secunda post Pentecosten, seu die sexta mensis Junii anni modo labentis infrascripti indixissemus, et promulgassemus, ac deinde pro fauta Nostri coronatione Posonium transtulissemus, ad eandemque Nos etiam personaliter comparentes, eidem præfuissemus: fideles Nostri universi Domini Prælati, Barones, Magnates et Nobiles, ceterique Status et ordines mentionati nostri inclyti Regni Hungariæ, Partiumque eidem adnexarum ad præfatam diætam pleno et frequentissimo numero comparentes præmentionatarumque diætaliū constitutionum haud immemores, pro eligentia earumdem debitam et homagiale[m] erga Nos, qua legitimum et hæreditarium Regem, ac Dominum devotionem et fidem testati, desiderioque auspicandæ felicissimæ inaugurationis Nostre ducti, supplicaverunt Majestati nostre humillime et rogaverunt, ut innuentibus præcitatis constitutionibus omnino *ante* adhuc faustissimam coronationem nostram, nos *infrascriptos articulos, omniaque et singula* in iisdem contenta, rates, gratos et accepta habentes, nostrumque consensum illis præbentes,

benigne acceptare, et autoritate Nostra Regia approbare et confirmare, *ac tam Nos ipsi benigne observare, quam per alios, quorum interest, firmiter observari facere dignemur.* Quorum quidem articulorum tenor sequitur in hunc modum.

Primo: Quod præter ab antiquo deductam hæreditariam Regiam successionem coronationemque, in reliquo universas et singulas communes istius Regni Hungariæ, partiumque eidem adnexarum libertates, immunitates, privilegia, Statuta, communiaque jura, leges et consuetudines a divis, quondam Hungariæ Regibus, et gloriosissimæ memoriæ Prædecessoribus Nostris hactenus concessas et confirmatas, in futurumque concedendas et per Nos confirmandas (ad quas, et quæ dicti Status et Ordines formulam quoque juramenti ad initium decretorum Serenissimi olim Principis Domini Ferdinandi I^{mi} gloriosæ reminiscentiæ antecessoris Nostri positam, extensam et reductam habent), exclusa tamen, et semota articuli Decreti divi Andreæ Regis IIⁱ de anno 1222 clausula incipiente: "Quod si vero Nos . . . usque ad verba, In perpetuum facultatem, in omnibus suis punctis, articulis et clausulis, prout super eorundem usu et intellectu (salva tamen semper quoad ea quæ per articulum 8^{um} 1741, excepta sunt, ejusdem legis dispositione), regio et communi statuum consensu diætaliter conventum fuerit, firmiter et sancte observabimus per aliosque omnes et singulos inviolabiliter observari faciemus.

Secundo. Sacram Regni coronam juxta veterem consuetudinem ipsorum regnicolarum, legisque patrias, per certas de eorum medio unanimiter sine discrimine

religionis ad hoc delectas personas sæculares, in hoc regno conservabimus.

Tertio. Hactenus recuperata et exposit Deo ajuvante recuperanda quævis hujus Regni, partiumque eidem annexarum tenuta et partes, ad mentem etiam juramentalis formulæ, prænotato Regno et eidem adnexis partibus de toto reincorporabimus.

Quarto. Quod in casu, quem Deus procul avertere velit, defectus utriusque sexus archiducum Austriæ, præprimis quidem ab atefato nostro avo Carolo VI°, dein in hujus defectu a divo olim Josepho I°, his quoque deficientibus, ex lumbis divi olim Leopoldi I^m Imperatorum et Regum Hungariæ descendentium, juxta etiam dictamen præcitantorum primi et secundi articulorum præfatæ diætæ anni 1723, *prærogativa regie electionis, coronationisque antefatorum Statuum et Ordinum, in pristinum vigorem statumque redibit*, et penes hoc Regnum Hungariæ, et prædictas partes, ejusdemque antiquam consuetudinem illibate remanebit.

Quinto. Ut præmissum est, *toties, quoties* ejus modi inauguratio Regia INTRA AMBITUM sæpefati Regnis Hungariæ, successivis temporibus DILETALITER instauranda erit, TOTIES hæredes et successores Nostri futuri neocoronandi hæreditarii Reges, PRÆMITTENDAM habebunt præsentis diplomaticæ assecurationis acceptationem, deponendumque superinde juramentum.

Nos itaque prædicta universorum Statuum et Ordinum Regni Hungariæ et Partium eidem annexarum instantia benigne admissa, pro benigna animi nostri propensione, ipsique benigne gratificandi voluntate præinsertos uni-

versos articulos, ac omnia et singula in iisdem contenta, rata, grata et accepta habentes, eisdemque nostrum consensum benevolum pariter et assensum præbuimus, et illos, ac quævis in eis contenta clementer acceptavimus, approbavimus, ratificavimus et confirmavimus; promittentes, et assecurantes Status et Ordines in verbo Nostro Regio quod præmissa omnia tam Nos ipsi observabimus, quam per alios fideles subditos nostros, cujuscumque status et conditionis existant, observari faciemus, et vigore hujus diplomatis Nostri acceptamus, approbamus, ratificamus, confirmamus atque promittimus, in cujus fidem et testimonium litteras has manu propria subscribimus, et sigilli Nostri Regii appensione muniri fecimus. Datum in arce Nostra Regia Posoniensi, die decima quarta mensis Novembris 1790, regnorum Nostrorum 1^o.—Leopoldus. (Tomus II., paginis 200, 201.)

VI.

COMITIORUM ANNI 1790-91.

ARTICULUS III.

De inauguratione et coronatione Regia, cum singula regiminis mutatione intra semestrum peragenda.

PENITUS e medio tollendum omne dubium quod et tenore quorundam verborum acceptati a sacratissima Regia Majestate, et extradati diplomatis inauguralis de coronatione per hæreditarios Hungariæ Reges suscipienda contra fundamentales regni leges obmotum est, *futurisve temporibus obmoveri posset*, clementer annuit Cæsarea Regia Apostolica Majestas, ut inauguratio coronatioque Regia

*cum singula regiminis mutatione intra sex mensium a die obitus defuncti regis computandum spatium, ritu legali inomisse suscipiatur, salvis tamen intermedio tempore omnibus juri-
bus hæreditariis Regis, quæ ad publicam, constitu-
tionique conformem regni administrationem pertinent,
salvis non minus eidem Regi debitis homagialis fidei
obligationibus, privilegiorum nihilominus collatione inposterum
quoque penes SOLAM LEGITIME CORONATUM regiam Majestatem
permansura.*

VII.

COMITIORUM ANNI 1790-91.

ARTICULUS X.

De independentia Regni Hungariæ Partiumque eidem adnexarum.

ERGA demissam Statuum et Ordinum regni propositio-
nem, Sua quoque Majestas sacratissima benigne agnoscere
dignata est, quod licet successio sexus foeminei Augustæ
Domus Austriacæ per articulos 1 et 2, 1723, in Regno
Hungariæ partibusque eidem adnexis stabilita, eundem
quem in reliquis Regnis et ditionibus hæreditariis in et
extra Germaniam sitis, juxta stabilitum successionis
ordinem inseparabiliter ac indivisibiliter possidendis,
Principem concernat: *Hungaria nihilominus cum partibus
adnexis sit Regnum liberum et relate ad totam legalem regi-
minis formam (huc intellectis quibusvis dicasteriis) inde-
pendens, id est, nulli altero regno aut populo obnoxium, sed
propriam habens consistentiam et constitutionem, proinde a
legitime coronato hæreditario Rege suo, adeoque etiam a sua*

Majestate sacratissima, successoribusque ejus Hungariæ Regibus propriis legibus et consuetudinibus, non vero ad normam aliarum provinciarum, dictantibus id articulis 3, 1715, item 8 et 11, 1741, regendum et gubernandum.

VIII.

COMITIORUM ANNI 1790-91.

ARTICULUS XI.

De metis Regni non abalienandis et differentiis ratione earum exortis, componendis, et avulsis restituendis.

SACRATISSIMA Sua Majestas erga propositionem Statuum et Ordinum ad partes Regii sui officii pertinere declaravit, ut metæ Regni Hungariæ, Partiumque adnexarum nunquam abalienentur, differentiæ vero ratione metarum cum vicinis quibuslibet, seu nunc vigentes, seu via non lege præscripta terminatæ, seu exorituræ, per diætaliter ad id denominandos commissarios, finitis comitiis in concursu commissariorum, per Suam Majestatem denominandorum, statim revideantur; partibusque debite auditis, omni studio componantur, et avulsa quantum AD ALIAS SUÆ MAJESTATIS DITIONES HEREDITARIAS applicata forent non obstante eo, quod ejusmodi tenuta provinciarum illarum contributionis catastrum ingressa essent, regia autoritate restituantur.

IX.

COMITIORUM ANNI 1790-01.

ARTICULUS XII.

De legislativæ et executivæ potestatis exercitio.

LEGES *ferendi, abrogandi, interpretandi potestatem* in Regno hoc Hungariæ, partibusque adnexis, salva art. 8, 1741, dispositione: *Legitime coronato Principi ET Statibus et Ordinibus regni ad comitia legitime confluentibus, communem esse, nec extra illa exerceri posse*, Sua Majestas sacratissima ultro ac sponte agnoscit, ac se jus hoc statuum illibatum conservaturam, atque prout illud a divis suis Majoribus acceperat, ita etiam ad Augustos suos Successores inviolatum transmissuram benigne declaravit, Status et Ordines securos reddens, nunquam per edicta, seu sic dictas patentales quæ alioquin in nullis unquam judiciis regni acceptari possunt, regnum, et partes adnexas gubernandas fore, expeditione patentium ad illum dumtaxat casum reservata, ubi in rebus, legi alioquin conformibus, publicatio debito cum effectu hac unica ratione obtineri valeret. Proinde,

Forma judiciorum lege stabilita aut stabilienda, auctoritate regia non immutabitur, nec legitimarum sententiarum executiones mandatis impediuntur aut per alios impediri admittantur, nec sententiæ legitimæ fororum judiciariorum alterabuntur, imo nec in revisionem Regiam, nec ullius Dicasterii politici pertrahentur, sed secundum conditas

hucusque, aut in futurum condendas leges, receptam regni consuetudinem, judicia per iudices absque discrimine religionis deligendos celebrabuntur, executiva autem potestas nonnisi in sensu legum per Regiam Majestatem exercebitur.

X.

COMITIORUM ANNI 1790-91.

ARTICULUS XIII.

De periodica diatarum celebratione.

Singulo triennio, aut publica regni utilitate, et necessitate exigente etiam citius, ad exigentiam sancitarum superinde Regni legum, signanter 1655, art. 4, 1715; art. 14, 1723; art. 7, hic loci renovatorum, per Majestatem Regiam generalis Regni Diæta indicetur, ad quam Status et Ordines citra omne ponendum impedimentum comparituri diætaliaque negotia legali cum libertate pertractaturi sunt. Ut autem pertractatis debite propositionibus regiis, cuncta justa gravamina universorum Statuum et Ordinum Regni in qualibet diæta effective, et inomisse tollantur, legesque in singula diæta condendæ exacte effectuentur, et effectuari procurentur, Majestas Regia futuris quibusvis temporibus, vi muneris Sui Regii cura-tura est.

XI.

COMITIORUM ANNI 1790-91.

ARTICULUS XXVI.

De Negotio Religioniæ.

Cum Status et Ordines sine stabiliendæ inter se perpetuæ harmoniæ ac unionis justum esse agnoverint, nec negotium religionis intra ambitum Regni Hungariæ solum ad statum *legum* annorum 1608 et 1647 reponatur, ac ut per consequens pro basi et fundamento in *perpetuum restabiliti liberi religionis exercitii* regnicolarum evangelicorum tam Augustanæ, quam Helveticæ Confessioni addictorum assumantur, et renoveantur tenores Pacificationis Viennensis Articulo I., ante coronationem anni 1608 citati, ac in legum tabulis relati, Pacificationis item Lincensis Articulo V., 1647 inserto; hinc, clementer annuente Sua Majestate Sacratissima (contradictionibus Dominorum cleri, et alicujus partis secularium Catholicorum nonobstantibus, imo iisdem in perpetuum nullum vigorem habentibus), statuitur:

1°. Ut non attentis posterioribus constitutionibus et articulis, uti et privilegiis, resolutionibus et explanationibus a modo in posterum religionis exercitium cum libero templorum, turrium, campanarum, scholarum, cœmeteriorum et sepulturæ usu, tam Baronibus, Magnatibus et Nobilibus, quam Liberis etiam Civitatibus, universisque Statibus et Ordinibus, in suis et Fisci bonis, oppidis item ac villis ubique liberum relinquantur,

nec quisquam omnium cujuscunque status et conditionis existat, in libero ejusdem usu, ac exercitio quovis sub prætextu a Sua Majestate, aut aliis quibusvis dominis terrestribus, quovis modo turbetur aut impediatur; rustici quoque sive civis oppidani, sive villani, in quorumcunque Dominorum terrestrium et fisci bonis, propter bonum pacis, et tranquillitatem regni in libero religionis exercitio, usu, et modo simili a Sua Majestate Sacratissima, vel ejusdem ministris, aut dominis terrestribus quovis modo, aut quovis sub prætextu non turbentur aut impediantur.

2°. In uberiores taliter declarati liberi religionis exercitii corroborationem ultro declaratur, nullibi jam privatum, sed ubique publicum esse, et hinc, distinctione inter privatum et publicum exercitium penitus cessante, liberum fere evangelicis modo infra notato in posterum ad illa etiam loca quæ hactenus pro filialibus habitata sunt, et cuncta illa, in quibus evangelici necessarium existimaverint, ministros introducere, templa cum vel sine turribus, parochiasque et scholas prout, indistinctim in illis etiam locis, ubi exercitium habent, sine ullo ulteriori recurso erigere, aut reparare, ea nihilominus sub cautela, ut cum conservatio contribuentis plebis præcipuam publicæ providentiæ partem constituat, in locis illis, ubi dehinc cum introductione liberi religionis exercitii novum quodquam templum vel oratorium extruendum, aut minister illocandus veniret, prævie, ope mixtæ deputationis per concernentem comitatum emissenda, absque tamen influxu hominis diocesani, necessarii sumptus et expensæ, viresque contribuentis

plebis, numerus item sive animarum, sive familiarum, ibidem sedem fixam habentium, intertenendo deinceps etiam publico religionis exercitio suppar, in concursu dominiis terrestralis investigentur, cognoscantur, et comitatu referantur, ubi obtentis super eo testimonialibus, quod fundo sufficienti provisi sint, adsit etiam congruus intertenendo religionis exercitio numerus, dominus terrestris nonnisi convenientem fundum intravillanum, vel cespitalem pro ecclesia, ministro et schola adsignare tenebitur, communitates autem catholicæ ad erectionem vel dotationem similium ecclesiarum vel scholarum sumptibus seu operis curulibus, seu manualibus concurrere nulla ratione obligabuntur, quodipsum ex parte etiam dominorum terrestrium, ac communitatum evangelicarum relate ad neo-erigendas ecclesias aut parochias Romano-Catholicas observabitur; jure nobilium aut dominorum terrestrium evangelicorum quoad introductionem liberi religionis exercitii, erectionem aut restaurationem templorum et parochiarum semel pro semper *irrestricto* et *illimitato* declarato.

3°. In sequelam liberi religionis exercitii evangelicis competentis, seu sint hi opifices, aut alterius cujuscunque conditionis et status homines non attentis etiam privilegiis cœnalibus, neo ad missæ sacrificium, neo ad processiones, neque ad alias ceremonias, et actus religioni suæ contrarios ullo titulo, ullisque mulctis adigantur, aut datias cujuscunque nominis hoc titulo præstandas compellantur.

4°. Evangelici utriusque confessionis in iis, quæ ad religionem pertinent, unice a religionis *suis superioribus*

dependeant, ut autem hæc gradualis in re religionis superioritas suo certo ordine consistat, reservat sibi Sua Majestas Sacratissima tam relate ad co-ordinationem prædictæ superioritatis, quam et reliquas disciplinæ partes, intacta cæteroquin religionis libertate eum stabilire ordinem, qui communi virorum ejusdem religionis, tam sæcularium, quam religionis ministrorum consensione maxime congruus reputabitur.

Hinc Sua Majestas Cæsaro-Regia pro suprema inspectionis sibi competentis potestate, Evangelicos utriusque Confessionis ulterius audiet, atque una curabit, ut hac in re certus, *principiisque ipsorum religionis accomodus ordo constabiliatur, interea vero statuitur, et canones circa religionem per Synodos suarum Confessionum suo modo conditi, in quorum nemque actuali usu consistunt, et deinceps ratione per hanc legem definita condendi, necque per Dicasterialia mandata, nec per regias resolutiones possint alterari, liberam proinde illis futuram non modo consistoriorum quorumvis celebrationem, sed et Synodorum, prævie tamen tam quoad numerum personarum ad illas concurrentium, quam etiam objecta ibidem pertractanda, per Suam Majestatem Regio-Apostolicam de casu ad casum determinandam, ad locum, quem ipsi prævie altæfatæ Majestatis adsensu delegerint convocationem, ita tamen, ut ad has Superintendentiarum Evangelicorum unius, aut alterius Confessionis Synodos prævie ut dictum, Suae Majestati insinuendas, si altæfatæ Suae Majestati visum ita fuerit, regium quoque hominem sine religionis discrimine non quidem pro directione, aut præsidio, sed solum pro inspectione admittere teneantur,*

canonesque et statuta taliter condita nonnisi postquam super inspectionem regiam transiverint, et approbationem obtinuerint, robur sortiantur firmitatis, salva alioquin in omnibus supræmæ regiæ inspectionis, via legalium regni dicasteriorum exercendæ, potestate, salvis item reliquis juribus regiis altefatæ Suae Majestatis circa sacra evangelicæ Ecclesiæ utriusque Confessionis competentibus, quibus summe fata Sua Majestas præjudicium aliquod inferri nullo unquam tempore patietur.

5°. Scholas quoque quam triviales quam grammaticas non solum quas habent retinere, sed et novas, ubicunque iis necesse visum fuerit, prout et altiores, accedente tamen prævie quoad hasce assensu regio, erigere, ibique ludimagistros, professores, rectores, subrectores vocare et dimittere, numerum eorum augere vel minuire, nec non directores seu curatores scholarum quarumvis, tam locales, quam superiores, et supremos a suæ confessionis hominibus eligere, rationem, normam et ordinem docendi atque discendi (salva altefatæ Suae Majestatis quoad scholas etiam hasce regiæ supræmæ inspectionis, uti præmissum est, via legalium regni dicasteriorum exercendæ potestate) ordinare, futuris semper temporibus liceat Evangelicis utriusque confessionis, co-ordinatione tamen literariæ institutionis erga demissam Statuum et ordinum propositionem per suam Majestatem determinanda ad has perinde scholas, hac tamen haud intellectis religionis objectis, quæ cuivis religioni propria manere debent, extendenda. Studiosis præterea ipsorum non modo benefactores eorum pro recipienda stipe, et adjuvando ministerio tum accedere, sed etiam studiorum

causa peregre ad academias exterorum sine ullo impedimento proficisci, eaque, quæ sibi constituta habent, stipendia percipere permittantur. Libros porro tam symbolicos, quam theologicos, et ad pietatis exercitium spectantes sub inspectione peculiarium per ipsos constituendorum, ac Consilio Regio nominatus referendorum censorum suæ confessionis libere typis excudi facere, ea tamen lege admittentur, ut nulla in religionem catholicam scommata vel sarcasmi libris his inserantur, onere responsionis quoad eadem scommata vel sarcasmos imprimi admittentes mansuro; ordinatione item regia, ut librorum novius excusorum tria semper exemplaria via regii Locumtenentialis Consilii Suæ Majestati submittantur, ad hos etiam libros extensa.

6°. Solutio stolæ, aut lecticalis hactenus per evangelicos parochis catholicis et ludimagistris aut aliis ecclesiæ servitoribus seu in ære parato, seu in numeralibus, seu in laboribus præstita in posterum ex integro cesset, et a trimestri publicationis articulorum præsentis diocessæ computando nusquam amplius exigì valeat, nisi evangelici opera dictorum parochorum sponte usi fuerint, quo casu, pro illis actibus stolam cum catholicis acqualem deponere tenebuntur. Quorum autem modo catholicis parochis pro amissis hisce reditutionibus resarcitio præstanda sit? desuper Consilium Locumtenentiale audietur, una vero illis significabitur: nunquam Suam Majestatem ad id accessuram, ut hujus indemnisationis titulo aut contribuenti populo, aut ærario regio camerali quidquam oneris adorescat, occasione autem erectionis aut reparationis templorum, parochiarum aut scholarum

neo catholica plebs evangelicia, nec evangelica plebs catholicæ manuales aut curules operas dare obligetur, eatenusque initi contraactus pro cassatis habeantur.

7°. Ministri utriusque Confessionis Evangelici ægrotos et captivos suæ confessionis adhibitis solitis politiæ cautelis libere semper et ubique visitare, ad mortem præpararo, ac ad supplicium condemnatis publice etiam in loco supplicii, quia tamen ad concionem dicant, assistere poterunt, sacerdotibus autem Romano-catholicis, dum per ægrotos captivos et condemnatos advocati fuerint, accessus adhibitis solitis politiæ cautelis, nulla ratione denegatur.

8°. Quoad officia publica tam majora quam minora statuitur, ut illa Patriæ filiis de republica Hungaria bene meritis, ac requisitas per legem qualitates habentibus nullo interposito religionis discrimine, conferantur.

9°. Evangelici etiam a depositione juramenti decretalis quoad clausulam (beatam Virgionem Mariam, sanctos et electos Dei) immunes declarantur.

10°. Foundationes evangelicorum pro ecclesiis, eorumque ministris, scholis item cujuscunque nominis, nosocomiis, orphanotrophiis, et quibuscunque pauperibus vel juventuti Augustanæ et Helveticæ Confessionis constitutæ, aut in posterum constituendæ, prout etiam Eleemosynæ ab iisdem nulla ratione adimantur, nec e manibus et administratione eorum ullo sub prætextu eximantur, directio præterea harum foundationum iis de ipsorum medio, quibus de recto ordine competit, salva et illibata relinquatur, illæ vero foundationes, que evangelicis utriusque confessionis sub ultimo regimine ne fors

ademptæ fuissent, iis illico restituantur, superinspectione regia, ut hæ foundationes ad mentem fundatorum administrentur, ac dispensentur, ad easdem quoque extensa.

11°. Universæ causæ matrimoniales Evangelicorum utriusque Confessionis propriis ipsorum consistoriis dijudicandæ relinquuntur, Sua tamen Majestas Sacratissima pro regio suo numero auditis ipsis evangelicis utriusque confessionis congruam prævio initura est rationem, non modo ut ad omnigenam litigantium partium securitatem consistoria hæc debito organisentur, sed et ipsa principia, juxtaque consistoria hæc suo tempore causas matrimoniales dijudicandas habebunt, fino inspectionis et confirmationis sibi exhibeantur. Interea autem causæ hæc matrimoniales judicabuntur secundum principia posterioribus his annis vigentia, per fora sæcularia quippe in comitatibus et districtibus pro proprio judiciario provisus per sedes eorundem judicarias, in liberis autem ac regiis et montanis civitatibus coram eorundem magistratu, salva ad tabulam regiam, ac pro re nata etiam ad Septem viralem appellata; eo tamen per expressum subnexo, quod divortii sententiæ nonnisi quoad effectus civiles ubique pro validis habeantur, Episcopos autem ad agnoscendam talismodi vinculi nullitatem, illamque ad catholicos extendendam obligare nequeant. Quantum ad dispensationes in gradibus lege patria prohibitis, secundum principia vero evangelicorum permissis, eosdem evangelicos Sua Majestas Sacratissima necessitate hujusmodi dispensationum, quippe in tertio vel quarto gradu, quemadmodum

jam antea per ipsas memorias Augustum Imperatorem et Regem Josephum II., fratrem suum desideratissimum constitutum erat, apud se querendarum semel pro semper eximit.

12°. Evangelicis utriusque confessionis penes conditæ hac ratione; ac *perpetuo duraturæ legis* provisionem circa liberum suæ religionis exercitium, conservationem item templorum, scholarum, et parochiarum suarum, nec non foundationum omni ratione securis redditis pro amplius confirmanda inter illos, ac Romano-catholicam religionem profitentes cognoscas pace et concordia statuitur: ut quoad proprietatem dictorum templorum, scholarum, parochiarum et foundationum (salva tamen quoad fundationes Szirmayanam, et Hrabovsrkyanam, uti et Apaffyanam, in quantum illam probis fulcire possent, pro evangelicis præensione), status possessionalis actualis, utrinque pro cynosura ea ratione adsumatur, ut fundationes catholicorum pro catholicis, evangelicorum autem pro evangelicis deinceps convertantur, adeoque non modo ab ulteriori harum repetitione pro futuro ab utrinque præscindatur; verum etiam nullæ unquam deinceps quocunque sub prætextu admitti possint, templorum, scholarum, ac parochiarum occupationes; illos autem, qui talium violentarum occupationum se reos fecerint poena 600 florenorum ungaricalium Articulo 14, 1647, sancita maneat.

13°. Cum transitus a catholica religione ad alterutram ex evangelicis in sensu pacificationum receptis, catholice religionis principiis adversetur, ne is temere fiat, occurrentes ejusmodi casus ad Sacratissimam Suam

Regiam Majestatem referendi venient: injungatur præterea sub severa poena, ne quiscunque demum ullum catholicum ad amplectendam religionis evangelicæ professionem quocunque præsumat allicere medio.

14°. Jam superius declaratum est, jura hæc evangelicorum solum intra ambitum Regni Hungariæ suum habere vigorem, regna proinde Dalmatiæ, Croatiæ et Sclavoniæ in ulteriori usu municipalium suarum legum relinquantur, adeoque evangelici intra eorum regnorum limites nec bonorum, nec officiorum sive publicorum, sive privatorum sint capaces; liberum tamen maneat evangelicis Augustanæ et Helveticæ Confessionis avita sua jura possessoraria in medio eorum etiam regnorum ordinaria juris via revindicare, in quæ si possessionem aliquam adepti fuerint, Sua Majestas sibi reservat, de eorum indemnisatione providere, præterea illæ aliquot in inferiori Sclavonia possessiones partim Augustanæ, partim Helveticæ Confessionis addictæ, ultro etiam non modo nulla ratione molestantur, sed et in libero religionis exercitio ea, qua nunc perfruuntur, ratione ultro relinquantur; denique commercii aut fabricarum causa liberum maneat evangelicis utriusque confessionis domicilium jure locationis, adeoque absque ulla seu nobilitatis, seu civilis fundi proprietate ibidem sumere.

15°. Proles e mixtis matrimoniis, quæ semper coram parochis catholicis inuenda erunt, quibus tamen impedimenta quæpiam quocunque sub prætextu in contrariam ponere causam esto, susceptæ et suscipiendæ, si pater catholicus fuerit, illias religionem sequantur, si vero

mater fuerit catholica, tunc nonnisi proles masculæ patris religionem sequi possint.

16°. Causæ matrimoniorum tam eorum, quæ jam tempore quo illa inita sunt, mixta erant, quam et eorum quæ per transitum alterutrius partis a sacris evangelicis ad sacra catholica mixta effecta essent, cum utrobique de veri nominis sacramento agatur, sedibus catholicorum spiritualibus deferantur.

17°. Festivitates catholicorum nunc usitatas quoad forum externum, non tamen in privato, ubi præter strepitosos quivis aliis labores peragi poterunt, ad evitandas publicas offensiones Augustanæ et Helveticæ Confessioni addicti observandas habebunt, eo addito, ut Dominis terrestribus cunctisque patribus familias sub actione fiscali interdictum sit, subditos ac servitores suos seu catholicos, seu evangelicos ab observatione festorum, sui que ritus ac devotionis impedire.

THE END.

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